

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-937-2015

Date of decision: 18.5.2015

Sarabjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. A.S. Kalra, Advocate for the petitioner.

Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J. (oral)

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 363, 366-A, 376, 341, 323, 120-B IPC and Sections 4 & 8 of Prevention of Children from Sexual Offence Act at Police Station Begowal, District Kapurthala, vide FIR No.50 dated 25.06.2014.

Learned counsel for the petitioner submits that no role has been assigned to the petitioner in the incident. Only allegation is that he drove the car in which prosecutrix and co-accused were sitting. His stand is that only vehicle owned by the petitioner was hired by co-accused, who allegedly committed rape on the prosecutrix. He is in custody since July, 2014.

Learned State counsel has opposed the prayer. According to him, name of the petitioner came up during interrogation of co-accused. Charges have also been framed against him.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

Keeping in view facts and circumstances of the case, role assigned to the petitioner, period of his incarceration and the fact that trial is proceeding at a snail's pace, I am of the considered view that no useful purpose would be served by detaining the petitioner in custody any longer. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Kapurthala.

(RAJAN GUPTA)
JUDGE

18.5.2015
'Rajpal'