

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc.M-44765 of 2016 (O&M)
Date of Decision: 21.12.2016

Komal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kewal Singh, Advocate
for the petitioner.

Mr. Mikhail Kad, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.01 dated 02.01.2016 under Sections 363, 366-A, 376, 420, 467, 468, 471, 120-B of Indian Penal Code and Sections 3, 4 of the Protection of Children from Sexual Offences Act, registered at Police Station Jodhewal, District Ludhiana.

Learned counsel for the petitioner contends that on the basis of FIR that was lodged, the petitioner has been in custody since 31.01.2016. In the meantime, statements of prosecutrix and her father, the complainant, have been recorded, in which, both have resiled and thus, he is entitled to

grant of regular bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Swaran Singh, while opposing the grant of regular bail, admits that statements of young prosecutrix and her father have been recorded, in which, they have resiled from the occurrence alleged in the FIR.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that statements of both the prosecutrix and her father have been recorded and there will be no useful purpose in keeping the accused in custody, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

December 21, 2016
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No