

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

CRM-M-12948-2017 (O&M)

Date of decision: 16.11.2017

Chandan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vaibhav Sehgal, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 57 dated 06.02.2015, under Sections 363, 366, 376, 506 and 120-B of the Indian Penal Code, registered at Police Station Focal Point, Ludhiana, District Ludhiana.

It is contended by learned counsel for the petitioner that the petitioner has been falsely implicated in this case and he is in custody since 06.12.2015. He also contends that the statement of the prosecutrix has already been recorded and there is no likelihood for the petitioner to influence her. He prays that the petitioner should be enlarged on regular bail since the trial is likely to take time as only two witnesses have been examined out of total fifteen witnesses so far.

Mr. Davinder Bir Singh, DAG, Punjab, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail to the petitioner by stating that there are specific allegations

against the petitioner.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 06.12.2015 and the trial is likely to take some time, no useful purpose would be served in keeping him in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

16.11.2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No