

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

Crl. Misc.M- 21725 of 2017 (O&M)
Date of Decision: July 18, 2017

Gaurav Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B.R. Rana-I, Advocate
for the petitioner.

Mr. A.A. Pathak, Addl. AG Punjab

JAISHREE THAKUR, J. (Oral)

Status report has been filed, which is taken on record.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.236 dated 19.12.2015, under Sections 376, 323, 342, 506, 341, 34 of Indian Penal Code (later on added Section 4 of POCSO Act) registered at Police Station Shimlapuri, Ludhiana City.

Learned counsel for the petitioner contends that petitioner has been in custody since 21.12.2015 and the statements of the complainant/prosecutrix and her father have been recorded. It is submitted that the conclusion of trial is likely to take sufficient time, therefore, he is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the bail application, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that no recovery is to be effected from the petitioner, he is not required for any further investigation and statements of complainant/prosecutrix and her father have been recorded, no useful purpose would be served in keeping the petitioner behind the custody. Therefore, at this stage, without commenting on the merits of the case, 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.

July 18, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No