

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

Crl. Misc. M-22888 of 2017(O&M)
Date of Decision: September 27, 2017

Vadivel @ Vadi Bel

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG 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.82 dated 28.03.2015, under Sections 363, 366, 120-B of Indian Penal Code (offence under Sections 376 and 346 of IPC added later on), registered at Police Station Salem Tabri, Ludhiana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 19.11.2016. It is submitted that petitioner is falsely implicated in the present case. It is also contended that out of total 17 witnesses, 05 witnesses have already been examined including the prosecutrix, therefore, the petitioner 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 fact out of total 17 witnesses, 05 witnesses have already been examined inclusive of the prosecutrix, no useful purpose would be served in keeping the petitioner behind the bar. 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.

September 27, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No