

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

Crl. Misc.M-24314-2017 (O&M)

Date of Decision: July 17, 2017

Sita Ram Paswan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sherry K. Singla, Advocate
for the petitioner.

Victim in person.

Ms. Bhavna Gupta, DAG Punjab.

Mr. Udit Garg, Advocate for UOI.

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.04 dated 04.01.2017, under Sections 363, 366-A, 120-B of Indian Penal Code and 3, 4 of POCSO Act, registered at Police Station Focal Point, District Ludhiana City.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. It is stated that Shekhar Paswan and victim Aanchal Kumari have solemnized their marriage on

25.12.2016 and the petitioner is the brother-in-law (Jeeja) of Shekhar Paswan and has nothing to do with the present case. It is submitted that challan has already been filed by the police and conclusion of trial is likely to take sufficient time, therefore, 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.

Victim is also present in court today, who places on record a copy of enrollment for her Aadhaar Card, showing her age to be 20 years and submits that the petitioner herein, has nothing to do with the present case.

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 and that he is not required for any further investigation, 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 17, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No