

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

Crl. Misc. M-33287 of 2017 (O&M)
Date of Decision: November 03, 2017

Balraj Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ajay Kalra, Advocate for
Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Davinder Bir Singh, 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.6 dated 06.01.2017, under Sections 376, 420 of Indian Penal Code and Section 6 of POCSO Act, registered at Police Station Division A, Amritsar City.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 07.01.2017. It is submitted that prosecutrix had an affair with the petitioner and it is when the petitioner refused to marry her, the petitioner is falsely implicated in the present case. It is also contended that statement of the prosecutrix has been recorded, 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.

Since, the trial is likely to take some time and in view of the fact that statement of the prosecutrix has been recorded, no useful purpose would be served in keeping the petitioner behind the custody. 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.

November 03, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No