

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

Crl. Misc. M-35129 of 2017 (O&M)
Date of Decision: November 03, 2017

Rajandeep Singh @ Rajan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mohinder Kumar, 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.51 dated 03.04.2017, under Sections 354, 34 of Indian Penal Code read with Section 8 POCSO Act (offences under Sections 363, 366, 366-A, 376, 376-D of IPC and Section 6 of POCSO Act added later on), registered at Police Station Jandiala, Police District Amritsar Rural, District Amritsar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 04.04.2017. It is submitted that the petitioner is falsely implicated in the present case. It is also contended that statement of the prosecutrix has been recorded, in which she does not point to any overt act punishable under Sections 376, 354 of

Indian Penal Code and Section 8 of POCSO Act. It is also argued that other co-accused, who are on the same footing with the petitioner, have already been granted regular bail by this court by order dated 13.09.2017, 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. However, he does not dispute the fact that the statement of the prosecutrix has been recorded and there are 16 witnesses, who are yet to be examined.

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