

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

Crl. Misc. M-35500 of 2017 (O&M)
Date of Decision: November 17, 2017

Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. A.K. Lamdharia, 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.95 dated 09.05.2017, under Section 354 of Indian Penal Code and Section 8 of POCSO Act, registered at Police Station Mandi Gobindgarh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 09.05.2017. It is argued that the petitioner is falsely implicated in the present case, while contending that it is only on account of the fact that when the petitioner asked them to clear the outstanding dues of the grocery articles purchased from his shop, that the instant FIR has been lodged. It is submitted that statement of the prosecutrix has been recorded. It is also contended that in

order to prepare for his defense, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Jaswinder Singh, opposes the grant of regular bail, while submitting that statement of the prosecutrix has been recorded.

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 already been recorded, no useful purpose would be served in keeping the petitioner behind bars. 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 17, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No