

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

**CRM-M-35659-2017
Date of decision: 06.10.2017**

Jasvir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Atul Goyal, Advocate
for the petitioner.

Mr. A. S. Dhaliwal, DAG, Punjab.

Mr. G. S. Latheri, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 201 dated 23.09.2015, under Sections 376, 363, 366-A of the IPC and Sections 4, 6 and 8 of the POCSO Act, registered at Police Station Samrala, District Ludhiana.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 11.01.2016. It is also contended that the statement of the prosecutrix has already been recorded and the trial is likely to take some time.

Mr. A. S. Dhaliwal, DAG, Punjab, has appeared on behalf of respondent-State and contested the bail application. Counsel for the State as well as counsel for the complainant oppose the grant of regular bail to the

petitioner on the ground that the prosecutrix has stood by her statement made before the police as well as before the Court. However, they are not in a position to dispute the fact that the statement of the prosecutrix has been recorded.

I have heard learned counsel for the parties.

In view of the fact that the petitioner is in custody since 11.01.2016; statement of the prosecutrix has been recorded and the trial is likely to take some time, no useful purpose would be served in keeping the petitioner in custody furthermore. Hence, at this stage, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

06.10.2017
Rekha

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No