

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

CRM-M-37847-2017

Date of decision: 16.12.2017

Raju Paswan

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

At the very outset, learned counsel for the petitioner seeks liberty to make amendment in the headnote as well as the prayer clause of this petition by including Section 4 of the POCSO Act, in the Court itself.

Permission is granted.

Let the necessary amendment in the headnote and the prayer clause be carried out by learned counsel for the petitioner under his signatures in the Court itself.

This second petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 107 dated 09.06.2014, under Sections 363, 366-A and 120-B of the IPC (Section 376 IPC added later on) and Section 4 of the POCSO Act, registered at Police Station Sahnewal, District Ludhiana.

Counsel for the petitioner contends that the petitioner has been in custody since 26.09.2014 and the trial is likely to take some time to conclude.

Per contra, counsel for the respondent-State opposes the grant of regular bail to the petitioner by stating that the prosecutrix has supported the version of the prosecution. He further submits that out of total 21 witnesses nine have been examined and two have been given up.

I have heard learned counsel for the petitioner as well as the learned counsel for the respondent-State.

Without going into the merits of the case and keeping view of the fact that the petitioner has been in custody since 26.09.2014 and the trial is not likely to be concluded in near future on account of the fact that out of total 21 witnesses only nine have been examined, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

16.12.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.