

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

Crl. Misc. M-41291 of 2017 (O&M)
Date of Decision: November 13, 2017

Akash Gupta @ Ajay

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Dr. Rau P.S. Girwar, 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.26 dated 28.03.2017, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Cantt. Bathinda, District Bathinda.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.04.2017. It is argued that the petitioner has been falsely implicated in the present case. It is submitted that statement of the prosecutrix has already been recorded. It is also contended that co-accused Rajesh @ Khushi has already been granted regular bail by this court in CRM-M-33917-2017 on 03.11.2017, 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 facts that statement of the prosecutrix has been recorded and co-accused has already been granted regular bail, 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 13, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No