

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

Crl. Misc. M-45088 of 2017 (O&M)
Date of Decision: December 11, 2017

Ajay Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Shivoy Dhir, 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.317 dated 06.09.2017, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Focal Point, Ludhiana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 07.09.2017. It is submitted that the petitioner is falsely implicated in the present case, in fact, the prosecutrix had left voluntarily her parental home. It is also contended that investigation is complete, as the challan has been presented, therefore, the petitioner is entitled to be enlarged on bail.

By an order dated 04.12.2017, learned counsel for the respondent-State was directed to verify the genuineness of the affidavit (Annexure P-3) of author of complaint i.e. father of the young girl, wherein he acknowledged that his daughter went of her own free will.

Today, learned counsel appearing on behalf of the respondent-State, on instructions from ASI Surjit Singh, PS Focal Point Ludhiana, submits that on verification, the said affidavit is found to be genuine. He opposes the grant of regular bail to the petitioner in general.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 07.09.2017 and that investigation is complete, as the challan has been presented, 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.

December 11, 2017

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No