

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

Crl. Misc. M-11185 of 2018 (O&M)
Date of Decision: June 01, 2018

Hardeep Singh @ Harry

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rishu Pandey, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. AG 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.102 dated 19.06.2017, under Sections 363, 366-A, 376 of Indian Penal Code (Sections 4, 8 of POCSO Act added later on) registered at Police Station Sadar, District Tarn Taran.

Learned counsel for the petitioner argues that the petitioner has been falsely implicated in the present case. It is submitted that a false story of kidnapping of the prosecutrix has been concocted. It is contended that both the complainant and the prosecutrix have turned hostile and did not support the prosecution version and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that both the complainant and the prosecutrix have turned hostile.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the fact that both the complainant and the prosecutrix have turned hostile and did not support the prosecution version, 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.

June 01, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No