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

Crl. Misc.M- 12525-2018 (O&M)

Date of Decision: 29.05.2018

Jagdeep Singh alias Jassa and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vinay Kumar Gupta, Advocate
for the petitioners.

Mr. Nikhil K. Chopra, Addl. A.G., Punjab

JAISHREE THAKUR, J. (Oral)

CRM-19692-2018

Application is allowed as prayed for. The documents Annex. P-2 to P-3 and P-5 to P-8 are taken on record, subject to just all exceptions.

CRM-M-12525-2018

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case FIR No.63 dated 30.04.2015, under Sections 376 (2)(g), 323, 325, 148, 149 and 120-B of Indian Penal Code and Sections 66 & 67 of Information & Technology Act registered at Police Station Baghapurana, Distt. Moga.

Learned counsel for the petitioner contends that the petitioners herein have been in custody since 10.01.2018. During trial, the prosecutrix

was declared hostile on the basis of which, the Additional Sessions Judge, Moga acquitted the co-accused Jaswant Singh for offences punishable under Sections Sections 376 (2) (g), 148, 120-B, of Indian Penal Code and under Section 67 of Information & Technology Act. It is also contended that a compromise has been arrived at between the parties in which the prosecutrix had stated that she did not want to litigate any further while submitting that the trial qua the petitioners herein is likely to take some time to conclude, therefore, the petitioners are entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer oppose the grant of regular bail to the petitioners, while submitting that offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioners herein have been in custody since 10.01.2018 and that the statement of the prosecutrix has been recorded, no useful purpose would be served in keeping the petitioners behind bars. At this stage, without commenting anything on the merits of the case, the instant petition is allowed and the petitioners are directed to be released on regular bail on furnishing of adequate personal bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

May 29, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No