

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

Crl. Misc.M- 12890-2018 (O&M)

Date of Decision: September 06, 2018

Shaoukat Ali @ Shonki

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.D. Sachdeva, Advocate
for the petitioner.

Ms. Seena Mand, 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. 79 dated 16.07.2016, under Sections 363, 366, 376-D, 420 of Indian Penal Code and Section 4 of the POCSO Act, and Section 3(10) of SC, ST Act registered at Police Station Julkan, District Patiala.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 16.07.2016. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that material witnesses have since been examined 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 the Investigating Officer, oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that material witnesses have since been examined.

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 petitioner herein has been in custody since 16.07.2016 and that material witnesses have since been examined, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without expressing any opinion 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.

September 06, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No