

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

CRM-M-13702-2018 (O&M)

Date of decision: 02.05.2018

Sapna

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Lajpat Sharma, Advocate
for the applicant-petitioner.

Mr. A. S. Sandhu, Addl. A. G., Punjab.

JAISHREE THAKUR, J. (Oral)

CRM-16080-2018

The instant application has been filed under Section 482 Cr.P.C. for permission to add Section 17 of the POCSO Act and Section 109 of the IPC in the head note as well as in the prayer clause of the petition.

Counsel for the applicant-petitioner submits that inadvertently the aforesaid sections were not mentioned in the head note as well as prayer clause of the petition and seeks permission to add the same.

For the reasons mentioned in the application, the same is allowed. Counsel for the petitioner is permitted make the necessary corrections in Court itself under his signatures.

CRM-14942-2018

Allowed as prayed for.

Documents are taken on record.

CRM-M-13702-2018

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 142 dated 19.08.2017, under Sections 363, 366-A, 376, 109 of the IPC; Sections 6 and 17 of the POCSO Act (added later on), registered at Police Station Ladhuwal, District Police Commissionerate, Ludhiana.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 06.10.2017. It is further contended that the bail application was dismissed by the trial Court only on the ground that trial was at initial stage and the material witnesses had yet to be examined. It is argued that during interregnum, the statements of the complainant as well as the prosecutrix have been recorded and the only role attributed to the petitioner would be that she had introduced Lalli, the main accused. It is also argued that the petitioner is facing trial only under Section 17 of the POCSO Act.

Mr. A. S. Sandhu, Addl. A. G., Punjab, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail to the petitioner on the ground that offences are serious in nature, however, he does not dispute the fact that trial is likely to take some time since only two witnesses have been examined so far.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 06.10.2017 and the trial is likely to take some time, no useful purpose would be served in keeping her in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on her furnishing bail

bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

02.05.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No