

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

Crl. Misc. M-15656 of 2018 (O&M)

Date of Decision: May 14, 2018

Manish Kumar

...Petitioner

Versus

U.T. of Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sudesh K. Khurcha, Advocate
for the petitioner.

Mr. Gautam Dutt, Addl. P.P., U.T., Chandigarh.

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.455 dated 24.12.2017, under Section 354 of Indian Penal Code and Section 12 of POCSO Act, registered at Police Station Sector 36, Chandigarh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 02.02.2018. It is argued that the allegations as set out in the FIR are absolutely vague and false. It is also contended that investigation is complete, as the challan has been presented 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, while submitting that offences alleged against the petitioner are serious in nature, however does not dispute the fact that challan has been presented.

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 02.02.2018 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.

May 14, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No