

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

Crl. Misc. M-17557 of 2018 (O&M)
Date of Decision: July 30, 2018

Jaspal Singh @ Jassa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Karan Garg, 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.31 dated 01.03.2016, under Sections 376/149 of Indian Penal Code, Sections 3/4 of POCSO Act and Section 9 of Immoral Traffic Act, registered at Police Station Canal Colony, District Bathinda.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 17.11.2017. It is argued that co-accused Deepu @ Satnam Singh, Manwinder Kaur @ Mani Kaur and Gurlal Singh @ Jaspal Singh @ Babu have already been released on bail by this court. It is also contended that out of total 19 witnesses, 08 witnesses have been examined, including the prosecutrix 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 the respondent-State, on instructions from the Investigating Officer opposes the grant of regular bail to the petitioner, however, does not dispute the facts that aforesaid co-accused have been released on bail and that out of total 19 witnesses, 08 witnesses have already been examined, including the prosecutrix.

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 17.11.2017, that co-accused have already been released on bail and that out of total 19 witnesses, 08 witnesses have already been examined, 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.

July 30, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No