

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

Crl. Misc.M-22727-2018 (O&M)
Date of Decision: July 26, 2018

Rohit alias Rohit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Naveen Bawa, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. 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.72 dated 29.03.2018, under Section 376 of Indian Penal Code, registered at Police Station Jamalpur, District Ludhiana.

Learned counsel for the petitioner contend that the petitioner is aged 22 years whereas the prosecutrix who is the complainant herein is aged about 35 years. It is inter-alia argued that it is on the fact that the petitioner did not marry the prosecutrix, the instant FIR got filed. Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 31.03.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the

investigation is complete and conclusion of trial will take sufficient time, therefore, the petitioner's custody is no longer required and he 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 investigation is complete and 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 that the petitioner herein has been in custody since 31.03.2018 and that the investigation is complete and the challan has been presented, 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.

July 26, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No