

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

Crl. Misc.M- 27337-2018 (O&M)

Date of Decision: August 08, 2018

Sachin Chhetri

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Madhur Goyal, Advocate for
Mr. Harshit Jain, 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.223 dated 30.09.2017, under Sections 363, 366-A of Indian Penal Code and Section 8 of the POCSO Act, registered at Police Station Division No.2, Ludhiana, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 02.10.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the statement of the prosecutrix has been recorded, which would clearly reflect that the prosecutrix had travelled with the

petitioner voluntarily from her home to Mata Chintpurni in Himachal Pradesh, from there she went to Hoshiarpur and then to Bathinda, from where she travelled to Bikaner and back to Ludhiana and that the 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 opposes 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 the statement of the prosecutrix has been recorded.

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 02.10.2017 that the statement of the prosecutrix has been recorded in which she admitted that she voluntarily left in the company of the petitioner, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without , 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.

August 08, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No