

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

Crl. Misc.M-29276-2018 (O&M)
Date of Decision: July 19, 2018

Surjit Singh alias Heera

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. I.P.S. Kohli, Advocate
for the petitioner.

Mr. V.G.Jauhar, 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.40 dated 02.02.2018, under Sections 363, 366-A, 376 of Indian Penal Code and Section 3, 4 of POCSO Act, 2012 registered at Police Station Sultanpur Lodhi, Kapurthala .

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 05.02.2018. It is submitted that the petitioner has been falsely implicated in the present case . It is argued that the main allegations as set out in the statement of the prosecutrix recorded under Section 164 Cr. P.C are against one Lovepreet Ssingh-main accused and the petitioner herein is a person who had given them a lift on his motor-cycle upto the bus stand 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 allegations as recorded in the statement of the prosecutrix under Section were against one Lovepreet Singh-main accused and not the petitioner herein.

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 05.02.2018, 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 19, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No