

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

Crl. Misc.M-30539-2018(O&M)

Date of Decision:27.09. 2018

Subhash

...Petitioner

versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.B.Raheja, Advocate
for the petitioner.

Ms.Rajni Gupta, 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.24 dated 24.01.2018, under Sections 376, 372, 373, 370-A, 354 of Indian Penal Code and 3/4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioner herein would contend that he is the person who solemnized marriage with complainant Komal and all allegations pertaining to Sections 363/366-A IPC are against the other co-accused namely Beero alias Manjeet Kaur and Sonia. The offence allegedly attributed to the petitioner is only under Sections 373/370-A IPC. It is also argued that the complainant had got married to the petitioner herein on the given instructions to collect his gold ornaments and money. It is contended that the charges have been framed and hence his custody would not be required.

Per contra, learned counsel appearing on behalf of respondent-

State, on instructions from the investigating officer, opposes the bail application, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that no recovery is to be effected from the petitioner, he is not required for any further investigation, main allegations have been levelled against co accused Beero alias Manjeet Kaur and Sonia in the statement made by the prosecutrix and no useful purpose would be served in keeping the petitioner behind the custody, his name is not even mentioned in the FIR, 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.

27.09.2018

sunita

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No