

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

Crl. Misc. M-29699 of 2017 (O&M)
Date of Decision: July 26, 2018

Jaswinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B.S. Sodhi, Advocate
for the petitioner.

Ms. Seema Mand, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.46 dated 15.05.2017, under Sections 366-A, 376, 109 of Indian Penal Code, Sections 4, 5 of Immoral Traffic (Prevention) Act and Sections 6, 17 of POCSO Act, registered at Police Station Anandpur Sahib, District Rupnagar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 15.05.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that out of total 24 witnesses, 07 witnesses have been examined, including the minor victim 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 respondent-

State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. However, she does not dispute the fact that the material witnesses, including the minor victim, have been examined.

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 15.05.2017 and that material witnesses, including the minor victim have 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 26, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No