

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

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**Crl. Misc. M – 31988 of 2018 (O&M)
Date of decision: 31.08.2018**

Sarabjeet Singh @ Sarabjit Singh

... Petitioner

Vs.

State of Punjab & Anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Deepak Arora, Advocate, for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. G.S. Rawat, Advocate, for the complainant.

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 FIR No. 17 dated 07.03.2018 under Sections 363, 366-A IPC and Section 8 of POCSO, 2012, registered at Police Station Ghuman Kalan, Gurdaspur.

Learned counsel for the petitioner contends that statement of material witness i.e. the prosecutrix has been recorded in which she has not identified the petitioner. Therefore, on this ground he ought to be allowed regular bail.

Learned counsel for the complainant has no objection in case the petitioner is granted the concession of regular bail. Counsel for the complainant does not dispute the fact that the statement of material witnesses has been recorded.

Per contra, learned State counsel opposes the prayer for regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the fact that the statement of material witness has been recorded, no useful purpose would be served by keeping the petitioner behind the bars. At this stage, without commenting on the merits of the case, the present 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 31, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No