

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

Crl. Misc. M-33886 of 2018 (O&M)
Date of Decision: August 13, 2018

Davinder Singh

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vijay Rana, Advocate
for the petitioner.

Ms. Rajni Gupta, Senior 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.151 dated 03.11.2016, under Sections 376, 366, 342, 506, 34 of Indian Penal Code, registered at Police Station Division No.4, Jalandhar, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR almost one year and two months back. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that out of total 19 witnesses, material witness i.e. the complainant has been examined 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, does not dispute the fact complainant has since 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 almost one year and two months and that the material witness i.e. the complainant has 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.

August 13, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No