

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

Crl. Misc. M-33887 of 2018 (O&M)
Date of Decision: August 13, 2018

Sunny @ Sunny Sidhu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B.S. Aulakh, 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.247 dated 31.10.2017, under Sections 363, 366-A of Indian Penal Code (offence under Section 376 of IPC added later on) and Sections 3 and 4 of POCSO Act, registered at Police Station Lambi, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 04.06.2018. It is submitted that this was a case where, both the petitioner and the prosecutrix were in a relationship and have subsequently got married, out of which wedlock there is a minor child. It is stated that they are residing together. It is also contended that investigation in the matter is complete, as the challan has been presented 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 that both the petitioner and complainant have solemnized a marriage and that challan has been presented in the matter.

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 04.06.2018, that both the petitioner and the prosecutrix have got married, out of which wedlock there is a minor child and that investigation is complete in the matter, as the challan has been presented, 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