

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

CRM-M-38048-2018

Date of Decision: 19.12.2018

Lovepreet Singh @ Labha

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM : HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. Jagjit Singh, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. D.A.G. Punjab.

JAISHREE THAKUR, J. (Oral)

The petitioner herein has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.40 dated 02.02.2018 under Sections 363, 366-A IPC and later-on added Section 376 of IPC and under Sections 3, 4 of POCSO Act registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner would contend that the allegations as set out in the FIR are patently false and petitioner has been falsely implicated. It is also contended that investigation in the said case is complete and the charges have been framed. It is further contended that prosecutrix for the reasons best known to her has not put in appearance before the trial Court as evident from the various orders passed where opportunity has been given since September onwards for the statement of the prosecutrix to be recorded. The trial of the case would take time to conclude. No useful purpose would be served by keeping the petitioner behind bars till the conclusion of the trial. Learned counsel for the petitioner prays that the petitioner be admitted to regular bail.

Learned State counsel has opposed the bail application while saying that if the petitioner is released on bail, he may influence the witnesses.

Without going into the merits of the case and keeping in view the fact that trial is likely to take some time to conclude, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

19.12.2018
rajeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No