

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

Crl. Misc. M-38347 of 2018 (O&M)
Date of Decision: October 01, 2018

Istekhar @ Ruhan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kunal Dawar, 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.127 dated 20.07.2018, under Sections 376, 506 of Indian Penal Code and Section 4 of POCSO Act, registered at Police Station Division No.5, Jalandhar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.07.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that the prosecutrix, who was 17 ½ years old, left her own to solemnize marriage with the petitioner. It is also contended that investigation 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, however, does not dispute the fact 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 20.07.2018 and that investigation is complete, 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.

October 01, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No