

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

Crl. Misc. M-3877 of 2018 (O&M)
Date of Decision: April 05, 2018

Deepak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Kusum Raj, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. AG 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.49 dated 29.03.2017, under Sections 376-D, 342 of Indian Penal Code read with Sections 4, 6 of POCSO Act, registered at Police Station Maqsudan, District Jalandhar.

Learned counsel appearing on behalf of the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 30.03.2017. It is submitted that the petitioner herein is the elder brother of Jeevan Singh, who was in a relationship with the prosecutrix. It is argued that the prosecutrix and brother of the petitioner lived together as husband and wife, while also submitting that even the petitioner has acknowledged

the paternity of the minor child. It is also contended that investigation is complete, as the challan has been presented and charges have been framed 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 the respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while contending that the offences involved in the instant case are serious in nature.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 30.03.2017 and that charges have been framed, no useful purpose would be served in keeping the petitioner behind bars. Moreover, the main accused Jeevan Singh is in custody. 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.

April 05, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No