

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

CRM-M- 39093-2018 (O&M)

Date of Decision: November 15, 2018

Gurmeet Singh alias Dogar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. J.S. Cheema , Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, 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.28 dated 29.03.2018, under Sections 354-B, 452, 120-B of Indian Penal Code and later on added offence under Section 376, 511 IPC and Section 3 and 4 of SC/ST Act, 1989 registered at Police Station Jhunir, District Mansa and charge has been framed under Section 354-B, 452, 120-B, 376, 511 IPC and 3 & 4 SC/ST Act.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 05.04.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that statement of the prosecutrix has been recorded in

which she has not supported the version of the prosecution and that 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 offences alleged against the petitioner are serious in nature ,however, he does not dispute the fact that the statement of the prosecutrix has been recorded in which she has turned hostile.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 05.04.2018 and that the statement of the prosecutrix has been recorded in which she has not supported the version of the prosecution, 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.

November 15, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No