

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

**CRM-M-40833-2018  
Date of Decision: 10.12.2018**

Sandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. I.P.S. Kohli, Advocate  
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

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**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.308 dated 13.09.2017, under Sections 363, 366-A, 376 of Indian Penal Code and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012 (added lateron), registered at Police Station Nakodar Sadar, District Jalandhar Rural.

Learned counsel for the petitioner contends that the petitioner has been in custody since 16.09.2017 and the charges have been framed as far back as on 13.10.2018. It is contended that reading of the

MLR which is available on the record would reflect that the prosecutrix had not come forth alleging an allegation of the offence under Section 376 IPC.

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, she does not dispute the fact that charges have been framed and numerous opportunities have been granted for prosecution evidence. On asking of the Court, whether there is an FSL report available, this Court is informed that semen is not detected on any of the exhibits.

I have heard learned counsel for the parties.

Since, charges have been framed and despite numerous opportunities the prosecution evidence has not been concluded, the trial is likely to take some time and in view of the fact that the petitioner herein has been in custody since 16.09.2017, 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 bonds to the satisfaction of concerned trial Court/Duty Magistrate.

**10.12.2018**

*satyawan*

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes  
Yes/No