

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

Crl. Misc. M-40879 of 2018 (O&M)
Date of Decision: October 23, 2018

Amolak Singh @ Ravi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. H.P.S. Ishar, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, 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.204 dated 20.07.2017, under Sections 363, 366-A of Indian Penal Code with enhanced offences under Section 376 of Indian Penal Code and Sections 3, 4 of POCSO Act, registered at Police Station Samrala, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.07.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that statement of the prosecutrix has been recorded, in which she has turned hostile and did not support the prosecution version. It is also

contended 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, however, does not dispute the fact that the prosecutrix 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 the petitioner herein has been in custody since 20.07.2017 and that statement of the prosecutrix has been recorded, in which she has turned hostile and did not support the prosecution version, 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 23, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No