

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

Crl. Misc. M-4147 of 2018 (O&M)
Date of Decision: August 02, 2018

Yogesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Verma, Advocate
for the petitioner.

Ms. Seena Mand, 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.145 dated 23.07.2015, under Sections 366-A, 376, 120-B of Indian Penal Code and Section 4 of POCSO Act, registered at Police Station Rajpura City, District Patiala.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 30.08.2017. It is submitted that charges were framed in this case on 07.12.2017 and subsequent thereto, out of total 17 witnesses, only the complainant i.e. the material witness has been examined. It is also contended that there is an inordinate delay in recording the evidence, as such, conclusion of trial will take sufficient time, and therefore, the petitioner herein 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 since the date of framing of the charges, only the complainant has been examined.

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 30.08.2017 and that statement of the complainant has been recorded, 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.

August 02, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No