

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

Crl. Misc. M-42659 of 2017 (O&M)
Date of Decision: July 25, 2018

Satinder Singh @ Jaje

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.K. Banga, Advocate
for the petitioner.

Ms. Rajni Gupta, Senior DAG Punjab.

Mr. H.S. Batth, Advocate
for the complainant.

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.68 dated 18.04.2017, under Sections 363, 376-D, 342, 506, 34 of Indian Penal Code, registered at Police Station Jandiala, District Amritsar Rural.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 09.05.2017. It is submitted that the prosecutrix has since been examined and there are material discrepancies in the statement that has been recorded. It is also contended that conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

On the other hand, learned counsel for the complainant opposes the grant of regular bail to the petitioner, while arguing that this is a case of gang rape where one of the brothers was committing the offence, while the other one was videographing the same.

Per contra, learned State counsel, on instructions from ASI Satnam Singh, also opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. On the asking of the court, whether there was any such video that has been recovered from the mobile phone of the petitioner, the answer is in negative.

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 09.05.2017 and that statement of the prosecutrix 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.

July 25 , 2018

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No