

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

Crl. Misc.M- 44257-2018 (O&M)

Date of Decision: October 11, 2018

Pinkle Saroj alias Diveash

...Petitioner

Versus

State of UT, Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mohit Garg, Advocate
for the petitioner.

Ms. Harpeet Kaur Gill, Advocate for
Mr. Anil Kumar Lamdharia, Addl. P.P., UT., Chd.

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. 176 dated 11.06.2018, under Sections 10 of the POCSO Act and 354 of Indian Penal Code, registered at Police Station Industrial Area, Chandigarh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR . 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 and the matter has been compromised and 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, oppose 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 the statement of the prosecutrix has been recorded and the matter has been compromised.

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 and that since the matter has been compromised between the parties and the statement of the complainant has also been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without expressing any opinion 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 11, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No