

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

CRM-M- 45431-2018 (O&M)

Date of Decision: November 29, 2018

Pavittar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Inderjeet Singh Chawla, Advocate
for the petitioner.

Ms. Rajni Gupta, Sr. D.A.G., 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.117 dated 12.06.2018, under Sections 7 and 8 of the POCSO Act and Sections 354, 354-A of Indian Penal Code added later on, registered at Police Station Sarabha Nagar, District Ludhiana.

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 the statement of the prosecutrix have been recorded while inter-alia argued that there is an inordinate delay of approximately three

years in registration of the present FIR and that the 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, 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 have been recorded and that there is an inordinate delay of approximately three years in registration of the present FIR.

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 the statement of the prosecutrix have since been recorded and that there is an inordinate delay of approximately three years in registration of the present FIR, 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.

November 29, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No