

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

Crl. Misc. M-46343 of 2018 (O&M)
Date of Decision: October 26, 2018

Karan Kumar @ Bunty

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sourabh Arora, 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.59 dated 28.02.2018, under Sections 366-A, 376, 120-B of Indian Penal Code and Sections 4 & 5 of POCSO Act, registered at Police Station A Division, Amritsar.

Learned counsel for the petitioner herein contends that the petitioner was taken into custody in the aforesaid FIR on 28.02.2018. It is submitted that the petitioner has been falsely implicated in the present case, while also arguing that the only role attributed to him is that he booked a room in the hotel. It is also argued that there is nothing on the record or any document placed to support such allegations. It is also contended that challan has been presented and charges have been framed and conclusion of

trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail, while also arguing that the main accused namely Ajay is still in custody.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioners. However, does not dispute the fact that charges have been framed in the matter.

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 28.02.2018 and that challan has been presented and charges have been framed, 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 26, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No