

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

**CRM-M-46644-2017
Date of decision: 15.01.2018**

Jaswinder Singh @ Lucky @ Kaka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Anter Preet Singh, Advocate,
for the petitioner.

Mr. A. S. Sandhu, Addl. A. G., Punjab.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 88 dated 16.11.2016, under Section 363-A IPC (Sections 366, 376, 379 and 411 of the IPC and Sections 3 & 4 of the POCSO Act added later on), registered at Police Station City Raikot, District Ludhiana Rural.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case at the behest of the mother of the prosecutrix and he is in custody since 30.11.2016. It is also contended that in fact the statements of the complainant and the prosecutrix have already been recorded. Counsel for the petitioner submits that since the trial is likely to take some, the petitioner should be enlarged on regular bail.

Mr. A. S. Sandhu, Addl. A. G., Punjab, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail by stating that the allegations are of serious nature. He submits that statements of six witnesses, including prosecutrix and her

mother/complainant, have been recorded out of total 14 witnesses.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 30.11.2016 and the trial is likely to take some time, no useful purpose would be served in keeping him in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

15.01.2018
Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No