

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

Crl. Misc. M-46823 of 2017 (O&M)
Date of Decision: February 15, 2018

Baldev Raj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. L.M. Gulati, Advocate
for the petitioner.

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

Mr. Sarbjit Singh, 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.78 dated 12.09.2017, under Sections 363, 366-A, 120-B of Indian Penal Code (offence under Section 376 of IPC and Section 6 of POCSO Act added later on) registered at Police Station Ramdass, District Amritsar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 19.09.2017. It is submitted that the petitioner is falsely implicated in the present case. It is argued that daughter of the complainant and the nephew of the petitioner ran away from their respective homes and have performed marriage with their own sweet will and also approached this court for protection of their

lives and liberty by filing CRM-M-35546 of 2017. It is also submitted that name of the petitioner has been dragged in the instant case, whereas there are no allegations against the petitioner herein. It is also contended that investigation is complete in the matter, as the challan has already been presented, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State files the status report, which is taken on record. It is argued that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

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 19.09.2017 and that investigation is complete, as the challan has already been presented, 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.

February 15, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No