

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

Crl. Misc.M-48537-2017 (O&M)

Date of Decision: August 02, 2018

Narender alias Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gaurav Tyagi, Advocate
for the petitioner.

Ms. Seena Mand, 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. 262 dated 02.04.2017, under Sections 370/370-A/372/34 of Indian Penal Code; Section 3/4/6 of Immoral Traffic Prevention Act, 1956; Section 6 of POCSO Act and Section 23 and 26 of Juvenile Justice (Care and Protection of Children) Act registered at Police Station Model Town, Panipat.

Learned counsel for the petitioner contends that main accused namely Aarti has also been allowed bail by the Court of Addl. Sessions Judge, Panipat while stating that other co-accused have also been granted bail whereas the petitioner is in custody since 16.08.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also

contended that the matter has been investigated and the challan has been filed and that the conclusion of trial will take sufficient time, therefore, the petitioner's custody is no longer required and he 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 investigation is complete and challan has been presented.

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 since 16.08.2017 and that the investigation is complete and the challan has been presented while also taking note of the fact that the other co-accused are also released on interim bail, 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.

August 02, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No