

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

Crl. Misc. M-6387 of 2018 (O&M)
Date of Decision: April 04, 2018

Gurbachan Singh @ Billa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. AG 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.169 dated 06.10.2017, under Section 354-A of Indian Penal Code and Section 8 of POCSO Act, registered at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 06.10.2017. It is submitted that the petitioner is falsely implicated in the present case. It is also contended that out of total 11 witnesses, 01 witnesses i.e. complainant has been examined and 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 Investigation Officer, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature.

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 06.10.2017 and that statement of the complainant has been recorded, 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.

April 04, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No