

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

Crl. Misc. M-9353 of 2018 (O&M)
Date of Decision: March 15, 2018

Shubham @ Shibu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dinesh Trehan, Advocate
for the petitioner.

Mr. A.S. Sandhu, 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.50 dated 27.05.2017, under Sections 376, 511, 323, 354-B, 34 of Indian Penal Code (Sections 376 and 511 of IPC deleted later on) and Section 8 of POCSO Act, registered at Police Station Shahpur Kandi Pathankot, District Pathankot.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 21.02.2018. It is submitted that offences under Sections 376, 511 of Indian Penal Code have already been deleted. It is argued that the matter stands compromised between the parties and co-accused have already been granted regular bail by this court in CRM-M-4694-2018, therefore, the petitioner is entitled to

be enlarged on bail.

At this stage, Mr. Munish Puri, Advocate puts in appearance on behalf of the complainant and files the power of attorney, which is taken on record and submits that he would have no objection in case, the petitioner would be allowed regular bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the grant of regular bail to the petitioner.

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 matter stands compromised and co-accused have already been released on bail, 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.

March 15, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No