

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

CRM-M- 56236-2018 (O&M)

Date of Decision: December 20, 2018

Raju Singh alias Parmatma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Navkesh Singh Goraya, Advocate
for the petitioner.

Mr. B.S. Sewak, Addl. A.G., 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.24 dated 13.02.2017, under Sections 363, 366-A and 376 of Indian Penal Code and Section 8 of the POCSO Act, registered at Police Station Model Town, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and that the allegations as set out in the FIR are patently false since the daughter of the complainant voluntarily left in the company of the petitioner and approached the Ld. Sessions Court, Ludhiana by way of filing CRM-31-2017 seeking a direction for protection of life and liberty from her parents. When the parties appeared before the said Court, the Ld. Sessions Judge, Ludhiana noted that the petitioners got married on 02.01.2017 against the wishes of their parents and relatives. It is also contended that the petitioner herein was taken into

custody in the aforesaid FIR on 14.02.2017, which is almost 01 year and 10 months and that the material witnesses have been examined and that 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 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, he does not dispute the fact that the material witnesses have been examined and that out of total 18 witnesses 07 witnesses have been examined.

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 14.02.2017 and that the material witnesses have been examined and that the daughter of the complainant voluntarily left in the company of the petitioner, 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.

December 20, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No