

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-6946 of 2019

Date of Decision: 09.04.2019

Mithilesh Patel

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Anterpreet Singh, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.50 dated 12.02.2018 under Sections 354, 354-D, 323, 324, 341 IPC registered at Police Station Division No.7, District Ludhiana.

The aforesaid FIR was registered on the statement of complainant Prabhat Kumar, as per which, the allegation against the petitioner is that he used to follow his wife Sharda Devi, molest her and commit wrong acts with her. On 12.02.2018, when Sharda Devi had gone to market to fetch vegetables, the petitioner came behind her, upon which she telephoned the complainant that the petitioner wanted to molest her but

when she resisted the petitioner from doing so, he has caused injuries to her on her back side and left arm. The petitioner is in custody since 15.03.2018 and the offences are triable by a Magistrate. Since trial in the case will take long time, the petitioner be released on bail.

Learned State counsel, on instructions from ASI Nachhattar Singh, does not dispute the custody of the petitioner. However, he has argued that the allegations against the petitioner are quite serious.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 15.03.2018 and the offences against him are triable by a Magistrate and the trial in the case will take long time, this Court finds that the petitioner deserves to be admitted on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

April 09, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No