

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19032-2019

Date of Decision:-02.05.2019.

Gagandeep Singh @ Mithu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ramandeep, Advocate for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

RAJ SHEKHAR ATTRI, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.197 dated 02.12.2018 registered under Sections 363, 366-A IPC (Challan was presented under Section 363 IPC, 366-A IPC and Section 9 of the POCSO Act, 2012) at Police Station Pasiona, District Patiala, however charges have been framed under Section 363, 366 IPC.

A bare perusal of the statement of prosecutrix under Section 164 Cr.P.C. recorded by the learned Judicial Magistrate transpires that petitioner has taken the prosecutrix on the pretext to pay obeisance at Peer but he took her to some other place which was unknown to the prosecutrix. She was recovered on 21.12.2018. Petitioner is in custody since 21.12.2018.

The trial of the case will take long time. No useful purpose will be served

by keeping the petitioner in custody.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Gagandeep Singh @ Mithu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the prior permission of the Court.

(RAJ SHEKHAR ATTRI)
JUDGE

May 02, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.