

215 CRM-M-4969-2020
IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-4969-2020
Date of Decision:07.02.2020

BRAHAM SINGH @ BRAHAMDEEP SINGH Petitioner

Versus

STATE OF PUNJAB Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.Anterpreet Singh, Advocate for the petitioner.
Mr. Sidakmeet Singh Sandhu, Asstt. A.G. Punjab.

JAISHREE THAKUR, J.(ORAL)

1. The present petition has been filed under Section 439 Cr.P.C. for regular bail to the petitioner in FIR No.133 dated 31.05.2018 registered under Section 363/366 IPC (Section 376 IPC and Section 3 & 4 of POCSO Act,2012 added later on) at Police Station Meharban, Police Commissionerate, District Ludhiana.

2. Counsel for the petitioner herein would contend that the petitioner has been in custody since 20.06.2018 and the allegations as set out are patently false as the prosecutrix had voluntarily left with him. It is also argued that statement of girl has since been recorded and trial is likely to take some time to conclude as only one witnesses has been examined out of thirteen.

3. Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, does not dispute the fact that the statement of the prosecutrix has been recorded.

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 20.06.2018 and that statement of the prosecutrix has been recorded and that out of 13 total witnesses only one witness has been examined, 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- Brahm Singh @ Brahamdeep Singh 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.

(JAISHREE THAKUR)
JUDGE

07.02.2020
raman

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No