

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

CRM-M-9092 of 2020 (O&M)
Date of Decision: March 05, 2020

Baljinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Kuljeet Kaur, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG 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.114 dated 28.07.2019, under Sections 363, 366, 376 of Indian Penal Code and Sections 5L and 6 of POCSO Act, registered at Police Station Sadar Nakodar, Jalandhar (Rural), Punjab.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 30.07.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the matter stands compromised and the prosecutrix and her parents have turned hostile and did not support the prosecution and conclusion of trial will take sufficient time, therefore, the petitioner is

entitled to be enlarged on bail.

Per contra, learned State counsel, on instructions from the Investigating Officer opposes the grant of regular bail to the petitioner, however, does not dispute the fact that prosecutrix and her parents have turned hostile.

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 30.07.2019 and that the prosecutrix and her parents have turned hostile and did not support the prosecution version, 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.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no effect on the merits of the case.

March 05, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No