

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

(Heard through VC)

CRM-M-13562-2020 (O&M)

Date of Decision: November 16, 2020

Puran Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Nakul Sharma, Advocate
for the petitioner.

Ms. Monika Jalota, DAG 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.221 dated 05.11.2019, under Sections 376-D, 506, 328 of Indian Penal Code, registered at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioner contends that the petitioner herein is in judicial custody in the aforesaid FIR, while submitting that the allegations as set out in the FIR are patently false and that there is delay in having the FIR registered. It is argued that statement of the prosecutrix has been recorded and there are material discrepancies in her statement. It is also contended that out of total eight witnesses, three witnesses have already been examined and it will take sufficient time to conclude the trial, as such,

the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Sukhwinder Singh, opposes the grant of regular bail to the petitioner, while submitting that there are serious allegations against the petitioner. However, she does not dispute the fact that statement of the prosecutrix has already been recorded.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in judicial custody; statement of the prosecutrix has already been recorded and that it will take sufficient time to conclude the trial, 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 affect on the merits of the case.

November 16, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No