

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

CRM-M- 25018-2020 (O&M)

Date of Decision: August 31, 2020

Saurabh Kumar Ojha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. M.S. Rana, Advocate
for the petitioner.

Ms. Monika Jalota, D.A.G., 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.67 dated 01.06.2019, under Sections 354-A IPC and Section 8 and 12 of the POCSO Act, registered at Police Station Division No. 8, District Jalandhar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.06.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the challan has been presented and the charges were framed on 31.08.2019 and that the petitioner has undergone substantial period of custody, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-

State, on instructions from the Investigating Officer- ASI Nirmal Singh, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that the petitioner is in custody since June, 2019.

I have heard learned counsel for the parties.

In view of the restricted working of the Courts due to pandemic COVID-19 situation, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 01.06.2019 and has undergone substantial length of custody and the challan has been presented and the charges stand framed since 31.08.2019, 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.

August 31, 2020

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No