

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

CRM-M-38569 of 2019 (O&M)
Date of Decision: January 28, 2020

Baljinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. N.S. Dadwal, Advocate
for the petitioner.

Mr. Davinder Bir Singh, 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.97 dated 08.04.2018, under Sections 363, 366-A of Indian Penal Code (Section 376 of IPC added later on) and Sections 4, 8 of POCSO Act, registered at Police Station Sadar, Ludhiana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 24.05.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that in fact, the petitioner and the prosecutrix were in love with each other. It is submitted that out of total 13 witnesses, 06 witnesses have been examined, inclusive of all the material witnesses i.e. the complainant and the prosecutrix and conclusion of trial will take sufficient time to

conclude, as such, 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, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that all the material witnesses have been examined.

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 24.05.2018 and that all the material witnesses have been examined, inclusive of the complainant and the prosecutrix, 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.

January 28, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No