

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

CRM-M- 50810-2019 (O&M)

Date of Decision: January 20, 2020

Jagtar Singh alias Kala

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Lupil Gupta, Advocate
for the petitioner.

Mr. Davinder Bir Singh, 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.53 dated 30.05.2019, under Sections 376, 452, 506 Indian Penal Code, registered at Police Station Bareta, District Mansa.

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 allegations as set out in the FIR are not sustainable while further arguing that the statement of the prosecutrix has been recorded and that the medical report would not support the allegations

of rape as set out in the FIR and that the conclusion of trial will take sufficient time, 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, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, he 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 that the petitioner herein has been in custody since 01.06.2019 and that statement of the prosecutrix has been recorded and that out of 17 total witnesses 05 witnesses including the material witnesses have 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-Jagtar Singh alias Kala 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.

January 20, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No