

234

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

**CRM-M-8459-2020(O&M)
Date of Decision: 17.08.2021**

(Heard through VC)

Rajnish Kumar @ Shiva

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Charanpreet Singh, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 of Cr.P.C., for grant of regular bail to the petitioner in case FIR No.139 dated 19.07.2019 under Sections 363, 366A, 376 IPC, and Section 4 of POCSO Act, 2012, registered at Police Station Sarabha Nagar, District Ludhiana.

Learned counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the said FIR. It is also submitted that the prosecutrix has clearly stated that she went to Delhi with the petitioner as she wanted to marry him and stay with him. It is argued that the prosecutrix has been examined and she has improved upon her version earlier given under Section 164 Cr. P. C. It is submitted that the petitioner has been in custody since 19.07.2019 and out of 15 witnesses cited, only six stand examined and trial is not likely to conclude in the near

Learned State counsel, on instructions, opposes the bail petition referring to the gravity of the allegations against the petitioner.

I have heard counsel for the parties and have also perused case file.

In view of the fact that the prosecutrix stands examined and there remains no chances of the petitioner, who is in custody since 19.07.2019, to hamper the trial, I deem it appropriate to allow the benefit of regular bail to the petitioner as the trial is likely to take long to conclude. The petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

17.08.2021

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No