

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

CRM-M No.24144 of 2021

Date of Decision:16.09.2021

(Heard through VC)

Ravi @ Ravinder

...Petitioner

Versus

State of UT, Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunil Agnihotri, Advocate
for the petitioner.

Mr. Abhinav Gupta, APP, UT, Chandigarh.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.20 dated 05.02.2021 under Sections 376 IPC (Sections 363, 366 IPC added later on) and Section 3, 4 of the POCSO Act registered at Police Station Sector 36, Chandigarh.

Counsel for the petitioner would contend that the petitioner has been falsely implicated in the said matter. It is submitted that petitioner has been in custody since 14.02.2021 and the material witness has been examined, who has failed to identify him in Court. It is argued that out of 24 witnesses cited, only 4 witnesses have been examined and matter is likely to take some time to conclude, therefore, prays for concession of bail to the petitioner.

Whereas, counsel for the respondent-State would oppose grant of regular bail to the petitioner by contending that in her statement recorded

under Section 164 Cr.P.C., the prosecutrix has stood by her version in the FIR.

I have heard counsel for the parties and in view of the fact that the matter stands investigated and challan has been presented and the fact that trial is likely to take some time to conclude as out of 24 witnesses cited, only 4 have been examined, this Court deems it appropriate to allow regular bail to the petitioner. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond each to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)

September 16, 2021
P.Bhatt

JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No