

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

CRM-M No.35636 of 2021 (O&M)

Date of Decision:06.09.2021

Sushil Kaushal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjeev Kadian, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is the petition that has been filed for grant of regular bail to the petitioner in FIR No.112 dated 19.07.2020 registered under Section 363, 366-A, 376 IPC and Section 4 of the POCSO Act, at Police Station Dakha, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the said FIR. It is argued that the prosecutrix has been examined, who did not support the prosecution version. The investigation has been completed and challan stands presented, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State opposes grant of regular bail to the petitioner while pointing to the seriousness of allegations levelled against him, however, she does not dispute the fact that the prosecutrix has turned hostile.

I have heard learned counsel for the parties. Keeping in view the fact that prosecutrix has been examined, who did not support the prosecution version and the fact that investigation has been completed and challan stands presented, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal/surety bonds 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.

September 06, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No