

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

CRM-M No.41757 of 2021

Date of Decision:11.10.2021

(Heard through VC)

Dinesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rahul Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, 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.158 dated 27.08.2020 registered under Sections 376, 376-D, 120-B IPC at Police Station Focal Point, District Ludhiana.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the said FIR. It is further contended that co-accused namely Somnath has already been granted bail by this Court bearing CRM-M No.40857 of 2021 vide order dated 05.10.2021. It is argued that prosecutrix has been examined, who did not support the prosecution version. The petitioner is in custody since 02.09.2020 and the trial is likely to take some time to conclude therefore, prays for grant of regular bail to the petitioner.

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 the prosecutrix has been examined, who did not support the prosecution version and the co-accused has already been granted concession of regular bail by this Court and the fact that the trial is likely to take some time to conclude, 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 execution of adequate 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 of opinion on merits of the case.

October 11, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No