

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

CRM-M No.43448 of 2021

Date of Decision:27.10.2021

(Heard through VC)

Jugraj Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab.

Mr. Vishal Munjal, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.119 dated 09.12.2017 registered under Sections 363, 366 IPC and Sections 3, 4 of the POCSO Act at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the said FIR and is in custody since 09.09.2020. It is argued that prosecutrix has been examined, who did not support the prosecution version. It is submitted that out of 17 witnesses cited, only 1 has been examined so far 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 would oppose grant of regular bail to the petitioner while pointing to the seriousness of allegations levelled against him, however, he 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 fact that the trial is likely to take some time to conclude as out of 17 witnesses cited, only 1 has been examined, 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 personal/surety bonds of Rs.50,000/- each 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 27, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No