

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

CRM-M No.45104 of 2018 (O&M)

Date of Decision:08.07.2021

(Heard through VC)

Baldev Raj

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Dr. Anmol Rattan Sidhu , Sr. Advocate with
Mr. Deepanjay Sharma, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Ashok Kumar Sama, 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.116 dated 18.08.2018 registered under Sections 354-A/506, IPC, 1860 and Section 8 and 10 of the POCSO Act at Police Station City Sadar Fazilka, District Fazilka.

Mr. Sidhu, Ld. Senior Counsel assisted by Mr. Deepanjay Sharma, Advocate for the petitioner would contend that the matter has been investigated and challan already stands presented. It is submitted that the challan was presented as far back as 13.10.2018 and the petitioner is already on interim bail as allowed by this Court on 04.12.2018. It is further submitted by the counsel for the petitioner that in the regular inquiry that was held, the petitioner herein has been exonerated and it is only on the second inquiry which was concluded within a short span of one day that the

FIR was registered. It is further submitted that as the matter has been investigated and the challan stands presented, custody of the petitioner would no longer be required and therefore, prays for concession of regular bail to the petitioner.

Learned Counsel for the respondent-State opposes grant of regular bail to the petitioner while contending that the allegations levelled against the petitioner are of serious nature.

I have heard learned counsel for the parties. Keeping in view the fact that the matter has been investigated and the challan stands presented, interim bail granted to the petitioner vide order dated 04.02.2018 by this Court is confirmed. Consequently, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of fresh adequate personal/surety bond 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)
JUDGE

July 08, 2021
Pankaj*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No