

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

CRM No.M-21384 OF 2015 (O&M)
DATE OF DECISION : 9th JULY, 2015

Rajbir Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Ashish Gupta, Advocate for the petitioner.

Mr. G. S. Ghuman, Additional Advocate General, Punjab.

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SURINDER GUPTA, J. (ORAL)

This petition has been filed for grant of regular bail to the petitioner in case bearing FIR No.33 dated 25.03.2015 registered at Police Station City Kot-Kapura, Tehsil Kot-Kapura, District Faridkot for offences punishable under Sections 363, 366-A, 376 read with Section 120-B IPC.

Heard.

As per the allegation levelled in the FIR the prosecutrix came out of her house at about 12 mid night on the intervening night of 24/25.03.2015 and was taken away by Karanvir Singh on his 'Activa' from her house. It was alleged that the petitioner and one Gurshish Singh were also present there on motor-cycle and all the three took the prosecutrix to the house of Karanvir Singh where she was subjected to rape by him (Karanvir Singh). No allegation of rape has been levelled against the petitioner.

In view of the above and keeping in view the fact that the petitioner is in custody and the challan has already been presented, but without expressing any opinion on merits of the case, this petition is allowed. Petitioner-Rajbir Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the Trial Court/Duty Magistrate, Faridkot subject to following terms:-

1. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
2. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
3. He shall not leave the country without the previous permission of the Court.

9th July, 2015
'raj'

(SURINDER GUPTA)
JUDGE