

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

Cr. Misc. M 23270 of 2014
Date of decision:- 28.1.2015

Harshveer Singh @ Laddy

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. Navkiran Singh, Advocate.
Mr. JS Brar, AAG, Punjab.

M.M.S.BEDI,J.

The petitioner seeks the concession of regular bail in a case of rape registered at the instance of Amar Singh, uncle of prosecutrix alleging that the petitioner enticed the girl and committed the above said crime after kidnapping her.

Counsel for the petitioner submits that on account of prosecutrix having not turned up from Canada despite repeated opportunities, the trial court has closed the evidence.

On asking of the court, learned State counsel informs that the statement of the petitioner u/s 313 Cr.P.C. has been recorded and the case is now fixed for defence evidence on 30.1.2015.

I have considered the fact and circumstances of the case. Without expression of any opinion on merits of the case or the material available on the record of the trial court, considering the fact that the trial is at penultimate stage and is likely to be concluded in near future, this petition is disposed of without prejudice to the right of the petitioner to raise all the defence pleas before the trial court. In case the trial is not concluded within a period of 30 days after the next date of hearing, fixed before the

trial court, the trial court shall release the petitioner on bail on his furnishing bail bonds/ surety bonds to its satisfaction. It is made clear that this order will not give liberty to the petitioner to prolong the proceedings on the pretext of producing defence evidence. In case delay is on account of conduct of the petitioner, it will be open to the trial court to pass any appropriate order.

Copy of the order be communicated to the trial court.

January 28 ,2015
TSM

(M.M.S.BEDI)
JUDGE