

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-23299 of 2015

Date of decision : 11.08.2015

Vijay Kumar

..... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. R.K. Arya, Advocate
for the petitioners

Mr. Deep Singh, AAG Punjab

Mr. Dheeraj Mahajan, Advocate
for the complainant

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 111 dated 15.11.2014 registered at Police Station Sadar Gurdaspur, District Gurdaspur under Section 354 IPC and Section 4 and 8 of Protection of Children from Sexual Offences Act.

On the last date of hearing, learned State counsel had informed that neither complainant nor the victim have been examined yet and the case was posted for today.

Learned State counsel submits that statement of the victim had been recorded and the case had been adjourned for the statement of other witnesses.

Learned counsel for the complainant states that the FIR had been registered under Section 354 IPC but allegations are under Section 376 IPC and he shall move an application for amendment in the charge.

Learned counsel for the petitioner states that petitioner is in custody for the last 8 months and the trial will take long time and allegations were only under Section 354 IPC and the complainant wants to delay the trial.

Without commenting on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail with the condition that he shall not contact the victim or the complainant or temper with evidence and on his furnishing adequate bonds to the satisfaction of the trial Court.

August 11, 2015

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**(ANITA CHAUDHRY)
JUDGE**