

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-25725 of 2015 (O&M)
Date of Decision:- 28.08.2015

Monu alias Hardeep Bansal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

**Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.**

**Mr. A.S. Kler, Additional Advocate General, Punjab
for the State.**

SHEKHER DHAWAN, J.

Present petition under Section 438 Cr.P.C. for grant of anticipatory bail to petitioner Monu @ Hardeep Bansal in a case bearing FIR No.66 dated 18.08.2014 under Section 376(D) IPC, registered at Police Station Women Cell, Jalandhar.

Learned counsel for the petitioner took the plea that as per FIR no offence is made out against the petitioner. He was found innocent during the investigation. Thereafter, he was summoned on an application under Section 319 Cr.P.C. The age of the prosecutrix was more than 18 years and she had gone with her consent. More so, the petitioner is ready to appear/surrender before the trial Court.

Learned State counsel opposed the bail application and took the plea that there are no grounds for grant of pre-arrest bail to the petitioner.

Having considered the fact that the petitioner was found innocent during the investigation and thereafter he was summoned an application under Section 319 Cr.P.C. The version of petitioner is that the prosecutrix had gone with her consent only and she was of the consenting age as well. Without expressing anything on merits of the case, it is directed that, in case, the petitioner appears/surrenders, within a period of one week from today, then he would be released on bail by the trial Court on his furnishing adequate bail/surety bonds to its satisfaction.

Accordingly, the present petition for anticipatory bail is disposed of.

August 28, 2015
naresh.k

(**SHEKHER DHAWAN**)
JUDGE