

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

CRM-M-2646-2015 (O&M)
Date of decision : 30.01.2015

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Khiva, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Pala Singh.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.73 dated 07.07.2014, registered under Sections 376, 420, 506, 366, of the Indian Penal Code, registered at Police Station Budhlada, Distt. Mansa.

It is contended that the prosecutrix was known to the petitioner and being major, was a consenting party. There is an unexplained delay of five days in lodging the FIR. The prosecutrix already stands examined and there are material contradictions in her statement. The petitioner is in custody since 10.07.2014.

On the other hand, the learned State counsel vehemently opposes the present petition and states that the petitioner is involved in a heinous crime. She further informs that out of nineteen prosecution witnesses, two have already been examined.

Heard.

The prosecutrix, who is major, already stands examined. The petitioner is in custody since 10.07.2014. Out of nineteen prosecution witnesses, only two have been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

Keeping in view the totality of circumstances, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

30.01.2015
atulsethi

(JITENDRA CHAUHAN)
JUDGE