

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.30724 of 2015

Date of Decision:-15.09.2015

Lovepreet Singh @ Jagroop Singh @ Jupa.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Gursimran Singh Bhatia, Advocate for the Petitioner.

Mr. Kirat Singh Sidhu, DAG Punjab along with
SI Harjit Singh.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioner-Lovepreet Singh @ Jagroop Singh @ Jupa in case FIR No.174 dated 10.07.2015 for offence punishable under Section 376 of Indian Penal Code registered with Police Station Jandiala Guru, District Amritsar Rural.

It is submitted that the petitioner accused is 18 years and the prosecutrix is 16 years studying in the same Senior Secondary School.

As per the allegations the petitioner-accused visited the house of the prosecutrix on 9.7.2015 at around midnight and committed rape upon the prosecutrix while her family members were sleeping in the house.

Learned Counsel for the petitioner states that from the bare

reading of the FIR it is apparent that the prosecutrix was a consenting party. However, on the waking up of the family members the case has been foisted upon him. He further states that the petitioner is in custody since 16.07.2015.

Learned State Counsel on instructions from SI Harjit Singh concedes that the petitioner is in custody since 16.7.2015 and investigation qua him are over.

Without commenting upon the merits of the case, keeping in view the above, no useful purpose is going to be served by keeping the petitioner behind the bars. As such the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Amritsar

**(JASWANT SINGH)
JUDGE**

September 15, 2015
Vinay