

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

**CRM-M No.33594 of 2015 (O&M)**

**Date of Decision: 06.10.2015**

Kuldip Singh @ Giivi

..... Petitioner

Vs.

State of Punjab

..... Respondent

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Mr. Vikas Sharma, Advocate for the petitioner.

Ms. Rimplejeet Kaur, AAG, Punjab for the respondent/State  
along with ASI Mukhtar Singh.

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**JASWANT SINGH, J. (Oral)**

The prayer is for grant of regular bail in case FIR No.129 dated 01.05.2015, under Sections 376, 342, 506 of the Indian Penal Code and Section 25/27/54/59 of the Arms Act, registered with Police Station City Tarn Taran, District Tarn Taran.

The complainant-Palwinder Kaur is 20 years' old student of a Nursing College. The petitioner resides in the same locality and is acquainted with her.

The allegations against the petitioner are that in June/July, 2014, the petitioner took the complainant in Sun Star Hotel for taking tea and thereafter committed rape on her by threatening at gun point. Subsequently, on 2/3 occasions, he is again alleged to have committed rape on her in the same hotel. The allegation also is that he had prepared a Video Clip of the complainant on his mobile while she was taking bath in a bathroom of the hotel and uploaded the same on the internet.

Learned Counsel for the petitioner submits that it was a consensual relations between the petitioner and a well educated girl, who after 10 months of the occurrence, lodged the FIR with false averments. The petitioner is stated to be in custody since 07.05.2015 and after completion of the investigation, the challan has been presented. It is also contended that no such video clipping has been recovered by the prosecution nor any alleged video clipping on the internet have been found.

Learned State Counsel, on instructions from ASI Mukhtar Singh, concedes regarding the custody period and the fact that challan has been presented.

Without commenting upon the merits of the case, keeping in view the custody period and the facts of the case as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Tarn Taran.

Disposed of.

**October 06, 2015**

Gagan

**(JASWANT SINGH)**  
**JUDGE**