

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

CRM No.M-39601 of 2014

Date of decision: 24.02.2015

Karamjeet Singh @ Nona

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Abhinav Gupta, Advocate/Amicus Curiae
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Hukam Singh

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.29, dated 23.01.2014, registered under Sections 450, 376 and 511 of the Indian Penal Code (for short 'IPC'), at Police Station Morinda, District Rupnagar.

The learned counsel refers to the FIR wherein it has been specifically noticed that the petitioner was not able to commit rape upon the prosecutrix. Even, Section 452 IPC is not made out as the prosecutrix herself allowed entry to the petitioner. The petitioner is in custody since 28.08.2014.

On the other hand, the learned State counsel opposes the prayer and submits that there are specific allegations against the petitioner in the FIR.

On the last date of hearing, the matter was adjourned on the ground that the prosecutrix has not yet been examined. The status remains the same. The petitioner is in custody since 28.08.2014 and he is not involved in any other case. Thus, the trial is not likely to be concluded in the near future, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail, on her furnishing bail/surety bonds to the satisfaction of the trial Court.

24.02.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE