

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-6369 of 2015.
Date of Decision : 03.03.2015.

Kuldeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Sandeep Wadhawan, Advocate for the petitioner.

Mr. N.K. Chopra, Deputy Advocate General, Punjab.

Tejinder Singh Dhindsa, J.(Oral)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking the benefit of regular bail to the petitioner in case FIR No. 247 dated 05.10.2014, under Section 376 IPC, registered at Police Station Sultanwind, Amritsar.

Counsel for the parties have been heard.

The petitioner is approximately 50 years of age. Even as per version of the prosecutrix, she had lost her husband about 9 years back and thereafter had shared the same roof with the accused/petitioner for a period of more than 8 years. The allegation is with regard to having maintained physical relations on the pretext of marriage. Version of the complainant, otherwise, points as towards a consensual relationship.

The petitioner has been in custody since 09.10.2014. Learned State counsel upon instructions from SI Jaspal Singh would apprise the Court that investigation in the case has been completed,

challan has been presented and even charges have been framed and the trial is still at the initial stage.

The question as to whether offence under Section 376 IPC is made out against the petitioner would be a moot point and be considered at the stage of trial.

Without expressing any opinion on the merits of the case, petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court.

Disposed of.

March 03, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE