

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-18150 of 2016

Date of Decision: 08.08.2016

Gursharan Singh

.....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. T.S.Sangha, Senior Advocate with
Mr. Narinder Singh, Advocate
for the petitioner.

Mr. J.S.Bhullar, AAG, Punjab.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 19 dated 21.4.2015 registered at Police Station City-1 Mansa, District Mansa under Sections 376, 420, 406, 120-B IPC.

Notice had been sent to the complainant which has been returned with the report that she had gone to Chandigarh. Earlier even notice had been sent to the complainant which had been returned unserved.

Learned senior counsel for the petitioner contends that the complainant is avoiding service and her statement has already been recorded and she has not supported the prosecution case. Senior counsel urges that the victim is a divorcee and it was a money dispute and false facts were fabricated and the petitioner is in custody since 4.5.2015.

State counsel submits that 12 PWs out of 13 PWs have been examined and the case is at the final stages.

The victim has levelled allegations of rape. She is a divorcee.

She has not supported the case at the trial.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

August 08, 2016
Gurpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No