

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

**Crl. Misc. No.M- 19736 of 2015
Date of decision : 11.03.2016**

Pavitar Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.S. Grewal, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 147 dated 03.11.2014, registered under Sections 363, 366, 506, 376, 120-B, 34 IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012, Police Station Nehianwala, District Bathinda.

Counsel for the petitioner contends that there was an affair between the prosecutrix and the petitioner and though in her statement under Section 164 Cr.P.C. she had levelled allegations against the petitioner but in the Court she made contradictory statements but in the cross-examination she stated that she had physical relations with her consent. The counsel

further urges that the girl did not want to go back to her parents' house and she was sent to Nari Niketan and she is now living with the parents of the petitioner and is over 18 years of age.

The statement of the prosecutrix has been recorded. There are contradictions appearing in the examination-in-chief and in the cross-examination, which would be dealt with by the trial Court at the appropriate stage. The trial will take long. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate.

11.03.2016
sunil

(ANITA CHAUDHRY)
JUDGE