

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

**Crl. Misc. No. M-21027 of 2016
Date of decision : 08.07.2016**

Dilbagh singh @ Baga

....Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

Mr. A.P.S. Gill, A.A.G. Punjab

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 269 dated 22.10.2015, registered at Police Station Sultanwind, Amritsar City, District Amritsar, who has been booked for having committed the offence punishable under Sections 376/120-B IPC.

Learned counsel for the petitioner at the very outset submits that initially also the complainant/prosecutrix lodged a similar F.I.R against one Sandeep, which was subsequently compromised by the complainant.

In the present F.I.R as well, the prosecutrix lodged an F.I.R against the petitioner and his family members that petitioner along with his two sons had committed rape upon her in the house of above Sandeep, where the petitioner along with his family members was residing as tenant and this fact was also in the knowledge of wife and daughter of the

petitioner.

Learned State counsel on instructions from Head Constable Ramesh Kumar submits that he has no knowledge whether the earlier complaint filed against Sandeep has been compromised or not. Learned State counsel further submits that charges have been framed against the petitioner and the trial is at the stage of recording evidence of the prosecution. Petitioner is in custody since 02.12.2015

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

Keeping in view the past conduct of the petitioner, as is evident from Annexure P-1/T and the period of incarceration of the petitioner, this court feels that there is no need to detain the petitioner any longer.

Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Amritsar.

08.07.2016
G Arora

(RITU BAHRI)
JUDGE