

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25759-2016

Date of Decision:- 23.08.2016

Parminder Singh @ Pindri

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Prashant Vashisth, Advocate, for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.153 dated 30.09.2015, under Sections 376, 342 and 506 read with Section 34 IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Dehlon, District Ludhiana City.

After registration of the FIR, the challan has been presented. As per statement (Annexure P-2) of complainant Parminder Kaur has stated that her daughter Harmanpreet Kaur is aged about 20 years and nothing was happened wrong with my daughter. Perusal of the said statement (Annexure P-2) shows that the witness has resiled from her earlier statement made before the police at the time of registration of the FIR.

Vide order dated 05.07.2016, the Additional Sessions Judge,

on the ground that the accused persons had wrongfully confined the victim child and had committed the gang rape.

Learned counsel for the petitioner has placed on record the report of Radiologist of Civil Hospital, Ludhiana, which shows that the age of the prosecutrix was between 17-18 years, when she was examined by the doctor. The said report of the Radiologist has been given to the SHO by the Dr. Gurjinder Kaur on 10.10.2015.

Moreover, the complainant is present in Court with her daughter and on a specific query put by this Court, the prosecutrix states that she is 20 years and the petitioner has not committed rape upon her.

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 above said facts, no useful purpose would be served to further detain the petitioner in jail. The final conclusion of trial will take a long time. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Ludhiana.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

August 23, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No