

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

Crl. Misc. No. M-26493 of 2016

Date of decision : 09.08.2016

Brijesh

... Petitioner

versus

State of Punjab

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. K.S. Aulakh, AAG Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 80 dated 23.05.2016, registered at Police Station Daba, District Ludhiana, under Sections 363, 366-A, 376 read with Section 120-B IPC and under Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012.

Learned counsel contends that the petitioner is the brother of Mantosh and no role has been attributed to him. He further states that the statement of the girl had also been recorded under Section 164 Cr.P.C. and the only role given therein is that the petitioner had handed over some money to his brother. According to him, it is a case of consent.

The complainant had made allegations that his daughter had been enticed by Mantosh. The girl was only 16 years old. The petitioner is the brother of the main accused. The girl had returned after four days. The role given to the petitioner is that he had helped his brother. The trial will take time.

Without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of CJM, Ludhiana.

August 09, 2016
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No