

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

**Crl. Misc. No.M-29273 of 2016
Date of decision : 02.09.2016**

Shambhu Shah

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Pardeep Bajaj, Advocate
for the petitioner.

Mr. K.S. Aulakh, AAG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.16 dated 31.01.2015, registered under Sections 376, 506 IPC and Section 3, 4 of POCSO Act, Police Station Meharban, District Ludhiana.

Counsel for the petitioner contends that the petitioner is in custody since 31.02.2015 and the main witnesses have been examined. The counsel urges that no allegations of rape were made even in the statement given under Section 164 Cr.P.C.

The vernacular of Annexure P-5 is available. The girl had spoken about her ravishment. The MLR is available on record. The hymen was torn. The FSL report shows that spermatozoa was found. The girl was only 14 years of age. I am not inclined to grant bail. However, since the

petitioner is in custody for over 1½ year, the trial Court is directed to

expedite the trial and complete it within three months from the next date of hearing. The prosecution would ensure production of the witnesses timely to enable the Court to complete the trial in time.

A copy of this order be sent to the Court below.

02.09.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.