

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-31314 of 2016
Date of Decision: 25.10.2016**

Aasa Ram

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. J.S.Bhullar, AAG, Punjab.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 97 dated 17.4.2014 registered at Police Station Focal Point, District Ludhiana under Sections 363, 366-A IPC and Section 376 IPC and Section 4 of POCSO Act added later on.

Statement of PW-2 Annexure P-7 is taken on record.

Counsel for the petitioner contends that the petitioner is in custody since 25.4.2014 and Radiologist had conducted the ossification test and according to it the age of the victim was between 17 years and 19 years and the mother and the grandmother have not supported the prosecution version and the victim in her cross-examination has supported the accused. Counsel for the petitioner submits that the petitioner is in custody for the last two years and the trial is taking time.

State counsel on instructions submits that no statement under Section 164 Cr.P.C. was recorded and the victim had supported the

prosecution case in her examination-in-chief.

The petitioner is in custody for more than two years. The trial is taking time.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

October 25, 2016
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No