

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

CRM-M-32776-2016

Date of decision: 06.10.2016

Ravinder Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.S. Swaich, Advocate,
for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case F.I.R No.79 dated 28.07.2015, under Sections 363, 366, 376 IPC and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012 (Sections 8 & 10 of the POCSO Act deleted from the FIR. Section 376 IPC and Sections 3 & 4 of the said Act added later on.), registered at Police Station, Haibowal, Police District Ludhiana City, District Ludhiana.

Brother of the petitioner along with prosecutrix is present in Court and states that she is residing with the family of the petitioner in village Bhagwanpur, Dera Bassi.

In her statement (Annexure P-2), she had stated that she had accompanied Ravinder Kumar and lived with him for about three months in village Hardoi. Ravinder Kumar-petitioner did not commit any forceful act

with her.

Petitioner is in custody since 01.07.2016.

Learned State counsel, on instructions, has informed that the challan has since been presented in the Court.

Heard.

Keeping in view that the prosecutrix is now staying with the family of the petitioner, the period of incarceration of the petitioner and the fact that trial may still take some time for its conclusion, this court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

06.10.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No