

**In the High Court of Punjab and Haryana at Chandigarh**

**Crl. Misc. No. M-37869 of 2016  
Date of Decision: 27.10.2016**

Gobind Rai

.....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. Hitesh Pandit, Advocate  
for the petitioner.

Mr. V.P.S.Sidhu, AAG, Punjab.

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**ANITA CHAUDHRY, J(ORAL)**

The petitioner is seeking regular bail in FIR No. 23 dated 30.3.2016 registered at Police Station Division No. 8, Ludhiana under Sections 363, 366-A IPC and Section 4 of the PCSO Act.

The girl had been recovered on the next day. In her statement recorded under Section 164 Cr.P.C., the victim did not make any allegation of rape, though in the medical, there is a reference of history of rape. The parents had accompanied the victim. The medical was got done on 2.4.2016. Recovery was effected on 1.4.2016. Petitioner is in custody since 1.4.2016 and challan has been presented but not under Section 376 IPC.

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.

Petitioner would stay away from the victim and will not tamper

with the evidence.

(ANITA CHAUDHRY)  
JUDGE

October 27, 2016  
Gurpreet

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