

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

**CRM-M-40448-2016
Date of decision: 22.11.2016**

Prince

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.S. Kahlon, Advocate,
for the petitioner.

Ms. Anmol Grewal, DAG, 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.36 dated 16.04.2015, under Section 376-D read with Section 34 IPC, registered at Police Station, Kanwan, District Pathankot.

Learned counsel for the petitioner has referred to the statement of Dr. Sunita (PW-3), wherein she has stated that as per version of the complainant, the occurrence took place on 14.04.2015 and she was medically examined on 17.04.2015, whereas duration of the injuries was within 12 hours. Learned counsel has further stated that the complainant was in the habit of making false complaints against innocent persons. A complaint under Section 182 IPC is pending against her. She has been convicted and released on probation as per judgment (Annexure P-4).

Co-accused of the petitioner has already been released on regular

2015. This fact is not being disputed by learned State counsel.

The petitioner is in custody since 26.06.2015.

Keeping in view 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 the petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Pathankot.

22.11.2016
ajp

(RITU BAHRI)
JUDGE

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