

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-40884 of 2015

Date of decision : 26.04.2016

Ravinder Singh @ Mani

... Petitioner

versus

State of Punjab

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Saurabh Gautam, Advocate for the petitioner

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

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 19 dated 22.03.2014 registered at Police Station Tibber, District Gurdaspur, Punjab under Sections 376, 506, 323 IPC and Section 4 of POCSO Act.

Learned counsel for the petitioner contends that petitioner was not named in the first complaint made to the police but later on in the statement under Section 164 Cr.P.C. he was named and the police had challaned only the petitioner and later on Lovejit Singh @ Lovely was summoned under Section 319 Cr.P.C. He further states that the case is fixed today for statement of the prosecutrix after additional accused was summoned and they have checked up and the statement of the prosecutrix has still not been recorded as there is no public prosecutor in the Court today. He further states that the petitioner is suffering from Hepatitis B and one death in the jail has already taken place.

Learned State counsel has filed reply and confirmed that the petitioner is suffering from HCV and it was detected in March 2016.

Considering the health condition of the petitioner and 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 adequate bonds to the satisfaction of the trial Court/Duty Magistrate with a condition that he would not contact the victim or her family or tamper with evidence.

**(ANITA CHAUDHARY)
JUDGE**

April 26, 2016
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