

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

**CRM-M No. 42335 of 2016
Date of decision: 30.11.2016**

Sunny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Satish Chaudhary, Advocate
for the petitioner.

Mr. Arshdeep S. Kler, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

Petitioner Sunny has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 102 dated 01.06.2015, registered under Sections 363, 366-A with 376 (added later on) of the Indian Penal Code at Police Station Division No. 4, Ludhiana.

Counsel for the petitioner submits that in fact the prosecutrix had gone of her own free will as per her statement recorded under Section 164 Cr.P.C. before the Illaqa Magistrate on 25.09.2015.

Notice of motion.

Mr. Arshdeep S. Kler, DAG, Punjab, has appeared on behalf of respondent-State and contested the bail application. Custody certificate has been filed showing that the petitioner herein is in custody for a period of one year and four months. It is also submitted that charges have been framed and five witnesses out total fourteen witnesses have been examined.

In view of the fact that the prosecutrix, in her statement recorded

under Section 164 Cr.P.C. before the Illaqa Magistrate, has deposed that she had gone with the petitioner of her own free will and the petitioner is in custody for a period of one year and four months and further that the trial is likely to take some time, no useful purpose would be served by keeping the petitioner in custody furthermore.

Therefore, keeping in view the facts and circumstances of the present case and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/learned trial Court concerned.

Petition stands disposed of.

November 30, 2016

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No