

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

**Crl. Misc. No.M-44176 of 2016
Date of decision : 15.12.2016**

Bhushan Kumar

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Baldev Kapoor, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.53 dated 19.05.2016, registered under Sections 363, 366, 382, 376-D, 120-B IPC, Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib.

Counsel for the petitioner contends that the petitioner is in custody since 01.06.2016 and the victim had named a number of persons and five persons out of them have been found to be innocent and investigation is still going on against one person and no identification parade was held and the petitioner was not named in the FIR. The counsel further submits that the FIR was lodged after a delay and no DNA test was carried out.

The State counsel submits that one Sandeep has been named in the FIR and the prosecutrix had identified the petitioner as Sandeep.

Challan has been presented. Investigating is over. The trial would take time. Considering the circumstances but without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate with a rider that the petitioner would not contact the complainant or her family or tamper with evidence in any manner.

15.12.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No