

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

Crl. Misc. No. M-44194 of 2016

Date of decision :- 20.12.2016

Jaspal Singh

....Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Aminder Singh, Advocate
for the petitioner

Mr K.D. Sachdev, Addl.A.G, Punjab

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 86 dated 14.06.2016, registered at Police Station Bhwanigarh, District Sangrur, who has been booked for having committed the offence punishable under Section 363/366 IPC (Sectio376/109 IPC added lateron).

The allegation against the petitioner is that he had allured the the daughter of the complainant and committed rape upon her.

At the very outset, learned counsel has referred to the statement given by Kulvir Kaur-prosecutrix whereby she stated that she stayed with the petitioner for three days at Bhawanigarh and in these three days, the petitioner committed rape upon her on the pretext of marriage. They were apprehended by the police when they were going to Bus Stand, Bhawanigarh. Further in the cross examination, the prosecutrix stated that she is not ready to marry the petitioner even if he is ready to marry.

After going through the statement, it seems that the prosecutrix was having affair with the petitioner and she had gone with him out of her own sweet will.

Learned State counsel on instruction states that out of 19 witnesses, 03 have been examined so far.

Heard.

Petitioner is in custody since 17.06.2016

Keeping in view the fact that the trial is likely to take some time to conclude, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Sangrur.

20.12.2016

G Arora

(RITU BAHRI)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No