

In the High Court of Punjab and Haryana at Chandigarh

**CRM-39438-2015 IN/AND
Crl. Misc. No. M-44305 of 2016
Date of Decision: 20.12.2016**

Balbir Singh

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Deepak Aggarwal, Advocate
for the petitioner.

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

ANITA CHAUDHRY, J(ORAL)

CRM-39438-2015

This is an application for adding Sections 3 and 4 of SC/ST Act in the main petition.

Application is allowed for the reasons stated therein.

Registry is directed to make necessary amendments in the petition.

CRM-M-44305 of 2016

The petitioner is seeking regular bail in FIR No. 38 dated 21.2.2016 registered at Police Station Nathana, District Bathinda under Sections 376(D), 342, 34 IPC and Section 3 and 4 of SC/ST Act.

Petitioner is in custody since 25.3.2016. The incident is dated 30.12.2015. The FIR was registered in February 2016.

The record reveals that the prosecutrix and her sister were missing and a Habeas Corpus petition was filed and the complainant had

appeared and had denied that she had been kidnapped and had stated that she had gone on her own. No allegations were made then that she had been raped. The facts are disputed. The trial will take time. The DNA report has not been received.

Without commenting anything on the merits of the case and considering 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 local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate with the rider that the petitioner would not contact the victim or her family and will not tamper with evidence.

(ANITA CHAUDHRY)
JUDGE

December 20, 2016
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No