

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-45125 of 2016
Date of Decision: 23.12.2016**

Tarun

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Anterpreet Singh, Advocate
for the petitioner.

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

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.102 dated 16.03.2015, registered under Sections 452, 376, 506, 34 IPC and the later on added Section 376-D IPC and Section 4 of the POCSO Act, Police Station Basti Jodhewal, District Ludhiana City.

In the MLR, history of rape is alleged on 15.03.2015; in the FIR, the incident is said to have taken place on 16.03.2015 but the date given by the prosecutrix in her evidence in the Court is 14.03.2015. The FSL report is against the prosecution. A totally different version has come out in the cross-examination.

The petitioner is in custody for almost 01 year and 09 months. The trial is taking time to conclude.

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 condition that he will not contact the complainant.

(ANITA CHAUDHRY)
JUDGE

December 23, 2016
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No