

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

**Crl. Misc. No.M- 6336 of 2016
Date of decision : 11.03.2016**

Angrej Singh

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. G.S. Simble, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 79 dated 09.11.2014, registered under Sections 363, 366, 376 IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012, Police Station Ghanie Ke Bangar, District Gurdaspur.

Counsel for the petitioner contends that the complainant had left the house on her own and she was having an affair with the petitioner and the prosecutrix had stated that the accused took her at night and raped her and she returned home around mid-night but since the door of her house was closed, therefore, she went to a nearby Gurudwara whereas the

story of the father is that they found the girl missing at 2:30 AM and looked for her in the neighbourhood and could not find her and there are contradictions and the petitioner is in custody for one year and three months.

The prosecutrix is over 16 years of age. As per own statement, she had left the house in the night on the asking of the accused. The allegations are that accused took her to a nearby house and raped her. She returned the same night. The statement of the prosecutrix and her father had already been recorded. The petitioner is in custody since 12.11.2014. The trial is taking time. 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.

11.03.2016

sunil

(ANITA CHAUDHRY)
JUDGE