

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

Crl. Misc. No.M-9190 of 2016

Date of decision : 19.10.2016

Sukhdev Singh @ Pawan

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Raj Kumar Gupta, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. A.G. Punjab.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.129 dated 30.08.2015, registered under Sections 363, 366-A, 120-B IPC, Police Station Sidhwan Bet, District Ludhiana.

The counsel for the petitioner contends that the petitioner is in custody since 30.09.2016 and not a single witness has been examined and there are no allegations of rape against the petitioner and the FIR has been lodged after a delay of four days. The counsel says that the girl had made her statement under Section 164 Cr.P.C. wherein she had stated that she had gone on her own.

The copy of the MLR had been produced on record, which shows that there is no injury and the hymen is intact. The history given was that the girl was staying with the boy and the girl did not disclose anything about sexual intercourse to the Medical Officer.

Considering the circumstances, bail is allowed to the petitioner on the condition that he would not contact the victims or their family in any manner or tamper with evidence. 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.

19.10.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No