

Criminal Misc. M- No. 17694 of 2017 (O&M)

Date of decision : August 31, 2017

Rajesh Mandal

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Rajesh Gupta, Advocate
for the petitioner.

Mr. Devinder Bir Singh, DAG, Punjab.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 87 dated 22.11.2012 registered under Sections 363, 366A IPC at Police Station Jamalpur, District Ludhiana.

It is submitted that the victim has not supported the prosecution version while deposing before the learned trial Court on 09.08.2017. She has not identified the petitioner as an accused in this case and has been declared hostile. It is, thus, prayed that this petition be allowed.

Photocopy of the statement of the prosecutrix, PW2 produced in Court is taken on record subject to just exceptions.

Learned counsel for the State is unable to deny the factual position as above. It is affirmed that the petitioner is not involved in any other criminal case. The petitioner is in custody since November 2016. There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

August 31, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No