

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

CRM -M-23210 of 2017 (O&M)

Date of decision: 23.08.2017

Aftaf Ansari

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Liaqat Ali, Advocate for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by ASI Rajinder Pal.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 398 dated 28.11.2015, registered under Sections 363, 366-A, 376 of IPC and Sections 3 and 4 Protection of Children from Sexual Offences Act, 2012, at Police Station Jodhewal, District Ludhiana.

Learned counsel for the petitioner refers to Annexure P-2, the CD wherein the prosecutrix has stated that the allegation of rape was made under pressure. The petitioner was 18½ years of age at the time of alleged incident, whereas, the prosecutrix had reached the age of discretion.

Though the transcript of CD is not available on record,

however, the learned State counsel during the course of day has watched the CD and endorse the statement made by learned counsel for the petitioner.

Heard.

Considering the above and the fact that out of total 15 PWs, only 04 PWs have been examined, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

23.08.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No