

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

CRM-M-23406-2017 (O&M)
Date of decision : 22.08.2017

Rajdeep Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Nakul Sharma, Advocate,
for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab,
assisted by ASI Narinder Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.262 dated 30.12.2016, registered under Sections 363, 366-A, 376-D and 120-B of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, at P.S. Mandi Gobindgarh, Distt. Fatehgarh Sahib.

Contends that the petitioner has been falsely implicated in the present case, as emanates from Annexure P-4, the affidavit sworn by the complainant, the mother of the prosecutrix. The affidavit has also been signed by the prosecutrix, wherein, it has been asserted that the complainant did not make the statement that the petitioner committed rape upon the victim i.e. her daughter, or abducted her. The statement under Section 164 Cr.P.C. was made after the complainant was threatened by the police to name the petitioner.

On the other hand, learned State counsel has opposed the

instant petition. On instructions, learned State counsel submits that there are specific allegation against the petitioner. However, he fairly concedes that the contents of the affidavit have been verified by the complainant.

Heard.

Keeping in view the fact that the complainant has duly sworn an affidavit (Annexure P-4) which is also signed by the victim herself, exonerating the present petitioner, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

22.08.2017
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(JITENDRA CHAUHAN)
JUDGE

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