

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

CRM No. M-24602 of 2017.

Date of Decision: 18.07.2017.

Gurwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana
assisted by HC Kuldeep Raj.

Prosecutrix in person.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439
the Cr.P.C seeking regular bail in case FIR No.87 dated 29.10.2016
registered under Sections 363, 366-A and 376 IPC and Section 4 of
PSCO Act at Police Station Kanwan, District Pathankot.

It is asserted that the petitioner and prosecutrix had a
love affair and wanted to marry each other. The allegation of abduction
is without any basis. The prosecutrix has furnished an affidavit,
Annexure P-3 in CRM M-17587 of 2017 filed by the petitioner to the
extent that she was neither abducted nor raped by the petitioner. The
petitioner is in custody since 30.10.2016.

The prosecutrix present in the Court duly admits the factum of filing the aforesaid affidavit.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Considering the affidavit and the statement of the prosecutrix to the effect that she was neither abducted nor raped and in fact, had a love affair with the petitioner; the petitioner is in custody since 30.10.2016 and; the challan stands already presented so, without commenting on the merits of the 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 trial Court/duty Magistrate concerned.

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

18.07.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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