

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

CRM -M-24837 of 2017 (O&M)

Date of decision: 19.07.2017

Sunil

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

Mr. A.S. Gill, Sr. DAG, Punjab.

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. 189 dated 24.12.2016, registered under Sections 363, 366-A, 376 of IPC and Section 3 of Protection of Children from Sexual Offences Act, 2012, at Police Station Division No.1, District Jalandhar.

It is contended that the prosecutrix had a love affair with the petitioner. The prosecutrix was major and a consenting party as reflected in her statement recorded under Section 164 Cr.P.C. The petitioner is in custody since 27.02.2017.

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

Heard.

Considering the statement of the prosecutrix recorded under

Section 164 Cr.P.C. and the fact 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 her furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

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

19.07.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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