

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

CRM-M-25501-2017 (O&M)

Date of decision: 24.07.2017

Raju

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Amandeep Singh, Advocate
for the petitioner (s).

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 case FIR No.78 dated 16.06.2016, registered under Sections 363 and 366-A of IPC, at Police Station Doraha, Distt. Ludhiana.

It is contended that the prosecutrix is major, whereas, she has been portrayed as a minor girl of 14 to 15 years. The prosecutrix made a statement under Section 164 Cr.P.C. before Ld. JMIC, Payal, that she went along with the petitioner with her own free will. The petitioner is in custody since 20.06.2016.

On the other hand, the learned State counsel opposes the present bail petition and states that challan stands filed and out of 12 PWs

none has been examined so far.

Heard.

Considering the statement of the prosecutrix made under Section 164 Cr.P.C. that she went along with petitioner with her own free will; challan has been presented; out of 12 PWs, none has been examined so far, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars.

Accordingly, 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.

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

24.07.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No