

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

CRM-M No. 3769 of 2017(O&M)

Date of decision: 9.2.2017

Amandeep Singh

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Anterpreet Singh, Advocate for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of regular bail in FIR No.158 dated 02.09.2015 registered with Police Station Division No.4, District Ludhiana for offence punishable under Sections 363 and 366 of the Indian Penal Code, 1860 (in short 'IPC') (offence under Section 376 IPC added later).

Counsel for the petitioner has submitted that on completion of investigation challan has been presented in the Court and the trial is pending. The prosecutrix, aged about 24 years in the year 2016, has been examined. It is argued that in view of the facts elicited in cross examination of the prosecutrix, it is difficult to infer that the present is a case of taking away the girl or subjecting her to sexual assault without her consent. It is further argued that conclusion of trial is likely to take its own time and the petitioner is ready to face the proceedings, in accordance with law, without any default.

Counsel for the State has admitted the factual assertions but opposed the bail application.

I have heard counsel for the parties, perused the paper-book particularly statement of the prosecutrix dated 06.06.2016 (Annexure P-2) recorded by the trial Court.

Without commenting upon merits of the case, lest it may cause prejudice to either of the parties at the time of final disposal of the case, the petitioner shall be released on bail subject to furnishing bail bonds to the satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) he shall not leave India without previous permission of the Court.

FEBRUARY 9, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no