

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

CRM-M-41400-2016

Date of decision: 21.02.2017

Lakhbir Singh @ Lakha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.K. Saini, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.74 dated 12.06.2016, under Sections 376, 506, 295 read with Section 34 IPC and Sections 3, 4 of Protection of Children from Sexual Offences Act, 2012, registered at Police Station, Machhiwara, Police District Khanna, District Ludhiana.

The petitioner is in custody since 13.06.2016. As per allegations, the incident took place on 11.06.2016 and the FIR was got registered on 12.06.2016. Medical examination of the prosecutrix was got conducted on 13.06.2016.

Learned counsel for the petitioner states that as per the report of Forensic Science Laboratory, no offence of rape is found to have been committed.

Learned State counsel, on instructions from HC Swaran Singh, does not dispute the report of Forensic Science Laboratory. She has further stated that after framing of charges, 17 prosecution witnesses are to be

examined and only one witness i.e. Dr. Kulwinder Kaur, who had conducted medical examination of the prosecutrix, has since been examined.

Heard.

Keeping in view the period of incarceration of the petitioner and the fact that trial may take some time for its conclusion, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on regular bail on furnishing of bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, Ludhiana.

21.02.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No