

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

CRM M-46822 of 2017.

Date of Decision: 13.12.2017.

Kuldeep Singh @ Happy

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. D.S. Gandhi, Advocate,
for the petitioner.

Ms. Anju Arora, Addl. AG Punjab
assisted by ASI Hardeep Singh.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439

Cr.P.C seeking bail in case FIR No.124 dated 18.05.2017 registered under Sections 363, 366-A and 376 IPC and Sections 5 & 6 of Protection of Children from Sexual Offences Act, 2012 at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioner contends that the the petitioner has been falsely implicated in the present case. Learned counsel refers to Annexure P-2, the statement of the prosecutrix to contend that it was at asking of the prosecutrix, the petitioner joined her to visit to Vaishno Devi temple. He further refers to Annexure P-3 affidavit sworn by the prosecutrix wherein she has testified her age to be 18 years. It has been further stated that her parents want to get her married to one of the relatives to whom she does not wish to marry.

Annexure P-4 narrates the proximity of the prosecutrix with the

petitioner. It is further contended that the petitioner is in custody since 19.05.2017.

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

Heard.

Considering the statement of the prosecutrix wherein she has projected herself to be major and the overwhelming evidence placed on record i.e. Annexure P-2 to P-4 and the fact that the petitioner is 19 years of age and he is in custody since 19.05.2017 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.

13.12.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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