

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-17063 of 2018
Date of Decision: 09.5.2018**

Sonu @ Jaswinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 007 dated 3.2.2016 registered at Police Station Bhindi Saidan, District Amritsar Rural under Sections 376, 511, 506 IPC (Sections 354, 354-A, 341 IPC added later on).

Some documents have been placed on record.

Counsel for the petitioner contends that the incident is alleged to have taken place on 21.1.2016 and the complaint is by a married woman that the petitioner tried to commit rape on her. The counsel urges that the FIR was lodged after 12 days and a totally twisted version has been given to the police as on 21.1.2016 a scuffle had taken place between the petitioner and the husband of the complainant. Counsel refers to the MLR. He further submits that the matter was settled before the Panchayat. The counsel further submits that though he was declared proclaimed person but service was never effected and he is placing on record the orders passed by the

Court. The counsel also submits that the petitioner is in custody since 24.1.2018 and challan has been presented.

State counsel urges that the petitioner is a proclaimed person and he was evading his arrest.

The zimni orders placed on record show that the police had approached the Court for issuance of non-bailable warrants of arrest since service on the petitioner could not be effected. There are reports according to which the house was found to be locked. The Court declared the petitioner to be a proclaimed person since he failed to appear despite the fact that notice had been pasted on his house.

The mater was reported to the police after 12 days. There is an MLR of the same day which shows that the petitioner had sustained injuries. The petitioner is in custody since 24.1.2018

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the Illaqa Magistrate/trial Court.

(ANITA CHAUDHRY)
JUDGE

May 09, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No