

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

Crl. Misc. No.M- 27664 of 2018

Date of decision : 26.07.2018

Hemant

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Manuj Nagrath, Advocate
for the petitioner.

Ms. Jaspreet Kaur, A.A.G., Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 49 dated 21.05.2015, registered under Sections 366 IPC (Sections 376-D, 120-B, 201 IPC added later on) Police Station City Haibowal, District Ludhiana.

Counsel for the petitioner contends that the petitioner is in custody for over 2 years and the allegations levelled in the FIR were that the petitioner had enticed the daughter of the complainant. The counsel says that the girl was major and she got married to Goldy the co-accused who is in custody. The counsel says that a civil suit was filed by the prosecutrix and she had made a statement in the Court on 26.05.2015 (Annexure P-4) that she had married Goldy and they were living together as husband and wife. The counsel says that the allegations in the statement recorded under Section

164 Cr.P.C. were that a video was prepared after the victim was given intoxicated drink but no such evidence was recovered by the police. The counsel further states that the prosecutrix and the complainant have been examined and one accused was allowed bail under Section 167 Cr.P.C.

The zimni orders were made available on the previous hearing, which show that the prosecutrix was avoiding her appearance and adjournments had been sought by their counsel on numerous dates. The police could not recover any video clip. The complainant and the prosecutrix have been examined. A civil suit had been filed in the Civil Court where the victim had admitted that she had married Goldy. The victim is major. Considering the circumstances of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

26.07.2018
Sunil

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No