

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

**CRM-M-31071-2018 (O&M)
Date of Decision: 30.07.2018**

Rasheed @ Rashid

...Petitioner

Versus

State of U.T., Chandigarh

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Aanchal Thakur, Advocate
for the petitioner(s).

Mr. Gautam Kailey, Advocate for
Mr. Rajiv, A.P.P., U.T., Chandigarh.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No.428 dated 09.10.2017, registered under Section 363 of IPC added Section 376 IPC and Sections 10 & 12 of POCSO Act later on, at Police Station Sector-39, Chandigarh.

Learned counsel for the petitioner contends that the petitioner is in custody since 01.01.2018 and the main accused is Irfan, who is a distant cousin. Counsel further states that the prosecutrix has been examined and after her examination-in-chief, an application had been moved under Section 319 Cr.P.C. and case would be further delayed. Counsel further submits that no allegations of rape were made against the petitioner. Counsel further submits that Liakat Ali, father of the victim, has not levelled allegations of rape.

Learned State counsel urges that allegations against Rasheed were that the incident occurred in the house of Rasheed and it is stated that he had threatened the father.

No allegations of rape have been levelled against the petitioner.

The trial would take time as an application under Section 319 Cr.P.C. has been allowed. Without commenting anything on the merits of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the trial Court/Duty Magistrate.

July 30, 2018

ps-I

**(ANITA CHAUDHRY)
JUDGE**

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