

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-49659 of 2018
Date of Decision: 19.11.2018

Rajesh Bhagat

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vinod K. Kataria, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 184 dated 22.9.2017 registered at Police Station Division No. 8, Jalandhar under Sections 363, 366, 376 IPC and Section 4 of POCSO Act.

Counsel for the petitioner contends that petitioner is in custody since 9.2.2018 and the victim has been examined at the trial. The counsel further submits that in the statement given under Section 164 Cr.P.C., the prosecutrix had supported the petitioner and she had refused her medical and she was sent to Gandhi Ashram. The counsel also submits that in the first statement made before the Magistrate, the prosecutrix had also stated that she had married the petitioner.

The prosecutrix had refused her medical and did not accompany her parents, instead she was sent to Gandhi Ashram. Her statement at the trial has already been recorded. There is no chance of any tampering.

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 bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

November 19, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No