

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52652-2018 (O&M)

Date of Decision: 14.12.2018

Darshan Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Dhivya Jerath, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab.

ANITA CHAUDHRY, J

Petitioner is seeking regular bail in FIR No.137 dated 04.07.2018 registered under Sections 363, 366, 376 of IPC at Police Station Civil Lines Batala, District Gurdaspur.

Learned counsel for the petitioner contends that the prosecutrix was missing from the house on 29.06.2018 but the FIR had been lodged on 04.07.2018 and she returned on 09.07.2018 and she is over 18 years of age and at best it could be a case of consent. The counsel further submits that the prosecutrix had been making contradictory statement and her statement at the trial has been recorded and according to her, they have been travelling to different places. The counsel refers to the letter written by the prosecutrix and urges that the feelings were from the side of the girl and can be noted from her writings i.e. Annexure P-2.

Learned State counsel states that the petitioner is a married man and are living in the same colony.

Counsel for the petitioner has placed on record the copy of the statement of the prosecutrix. The petitioner is married man. The FSL report is awaited. The counsel on instructions states that the petitioner is ready to move out of that colony and stay somewhere else.

In the light of the undertaking and as the statement of victim has been recorded, the petition is allowed. 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 with a condition that the petitioner will move out of that colony within a week of his release and will not contact the prosecutrix or her family.

December 14, 2018

ps-I

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No