

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

**CRM No.M-19698 of 2020
Date of Decision: - 13.08.2020**

Talbu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Gulzar Mohammad, Advocate
for the petitioner.**

Mr. Hittan Nehra, Addl.A.G, Punjab

RITU BAHRI, J.(Oral)

This petition under Section 439 CR.P.C. is for grant of regular bail to the petitioner in case F.I.R No. 168 dated 14.06.2017 under Sections 376 IPC, registered at P.S. Nakodar Sadar, District Jalandhar Rural.

Learned counsel for the petitioner has referred to the statement of ASI Ram Kishan P.W.1 who stated that the victim was unable to understand the language and he he does not understand her language. The victim did not named the accused in his presence and she never identified the accused in his presence and no occurrence took place in the presence of the husband of the victime (P-2).

Learned State counsel has not denied the above factual position and submits that as per custody certificate dated 12.08.2020 the petitioner had undergone 01 year and 21 days in custody. The petitioner is facing trial in F.I.R No. 131 dated 08.07.2019 under Section 380/100 IPC. Out of 19 witnesses, 01 witness had been examined. The petitioner is in custody since 14.06.2017.

In the light of aforesaid reasons, taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for regular bail is hereby accepted. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case during trial, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail only.

13.08.2020
G Arora

(RITU BAHRI)
JUDGE