

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220)

CRM-M-31380 of 2020

Date of Decision: 16.12.2020

Lakhveer Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Neeraj Madaan, Advocate, for the petitioners.
Mr. Sukhbeer Singh, AAG, Punjab.
Mr. Vaibhav Nagori, Advocate, for the complainant.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioners seek the concession of regular bail, upon FIR no.37, dated 18.03.2020, having been registered at Police Station Khui Khera, District Fazilka, alleging therein the commission of offences punishable under Sections 376-D, 354, 366 and 342 of the IPC.

Learned counsel for the petitioners submits that in fact even the prosecutrix, i.e. respondent no.2 herein, has testified before the trial court and was declared to be hostile.

Learned counsel appearing for respondent no.2 also does not deny that the prosecutrix has not testified in favour of the prosecution, with learned State counsel also obviously not denying that factual position (with him stating so on instructions from Sub-Inspector Ramesh Singh).

That being so, without making any comment on the actual

merits of the case, the present petition is allowed, with the petitioners ordered to be enlarged on bail, upon their furnishing adequate bail and surety bonds to the satisfaction of the learned trial Court/CJM/Duty Magistrate concerned.

16.12.2020
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No