

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

**CRM-M-2729-2020 (O&M)
Date of Decision: 26.07.2021**

(Heard through V.C.)

Lakhwinder Singh @ Lakha

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. C.L. Verma, Advocate
for the applicant/petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

JAISHREE THAKUR, J. (Oral)
CRM-20603-2021

Application is allowed and Annexure P-5 is taken on record.

CRM-M-2729-2020

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0191 dated 26.10.2018, under Sections 376, 384, 365, 506 and 120-B IPC registered at Police Station Punjab Agriculture University (PAU), Ludhiana, District Ludhiana.

Learned counsel for the petitioner herein *inter alia* would contend that the petitioner has been falsely implicated in the said matter and other than the bald statement of the prosecutrix, there is no medical evidence available to support his involvement. He would rely upon the MLR of the prosecutrix which would reflect that there was no external

injury seen. It is also argued that as on date the FSL report has also not been made available apart from the fact that the statement of the prosecutrix has been recorded. It is argued that the FIR came to be registered on 26.10.2018 regarding an incident that allegedly took place on 23.02.2018. Counsel places reliance upon the statement of the prosecutrix that would establish the fact that they were known to each other as far back as February, 2017. Counsel further submits that the trial is likely to take sufficient time to conclude as out of 21 witnesses cited only 02 witnesses have been examined.

Learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail, however, is not in a position to dispute the fact that the statement of the prosecutrix has been recorded.

I have heard counsel for the parties and have also perused case file.

Keeping in view the period of custody of the petitioner and the fact that the statement of prosecutrix already stand recorded, I deem it appropriate to allow the benefit of regular bail to the petitioner. The petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds in the sum of Rs.1 lakh and surety in the like amount to the satisfaction of trial Court/Duty Magistrate concerned.

26.07.2021
ps-I

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No