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MANDEEP SINGH @ KHUSHPREET SINGH ..Petitioner

STATE OF PUNJAB ..Respondent

Mr. Akshay, Advocate
for complainant.

ANIL KSHETARPAL, J(Oral)

The petitioner prays for bail pending trial in a criminal case arising from FIR No.80, dated 17.10.2021, registered under Section 376 of IPC and Section 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Jodhan, Ludhiana (R).

As per the case of the prosecution, the prosecutrix and the petitioner used to study in the same school. They became friendly and are alleged to have started making physical relations.

As per the allegations, the petitioner is now refusing to marry the prosecutrix.

The learned counsel representing the petitioner while drawing attention of the Court to the statement of the prosecutrix recorded under Section 164 Cr.P.C. on 19.10.2021, contends that the petitioner has been

falsely implicated as the prosecutrix does not state that the petitioner committed rape or sexual assault. In fact, she has categorically stated that the petitioner did not commit any bad/harmful act with her.

The learned counsel representing the petitioner further draws attention of the Court to a settlement dated 10.12.2021, between the petitioner and the prosecutrix.

The petitioner is in custody since 18.10.2021.

The learned State counsel does not dispute the correctness of the statement of the prosecutrix recorded under Section 164 Cr.P.C.

Hence, further incarceration of the petitioner shall not be appropriate as the trial is likely to take a long time. Hence, the petitioner is directed to be released on a regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly, the petition is allowed with the aforesaid directions.

All the pending miscellaneous applications, if any, are also disposed of.

January 25, 2022

Ay/Chetan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No