

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 17837 of 2015 (O&M)
Date of decision : December 04, 2015

Rakesh,

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. CL Verma, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana

Mr. Rajiv Sharma, Advocate
for the complainant.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.88, dated 10.2.2015, registered under Section 6 of the POSCO Act, Sections 66/67 of the Information and Technology Act, 2000 and Sections 376-D, 365, 328, 120-B of the IPC, at Police Station City Ballabgarh, District Faridabad.

The allegations were that the co-accused of the petitioner had befriended the minor prosecutrix and had repeatedly violated her. They had also made her video movies and sent the same on the whatsapp of her

father. As regards the petitioner the allegations were that on one occasion, he also violated her.

Counsel for the petitioner has argued that the petitioner has now been in custody for 10 months, the prosecutrix has been examined, 25 witnesses remain to be examined, and that similarly situated co-accused Jeetu was granted anticipatory bail and that order was never challenged.

Learned DAG Haryana as well as counsel for the complainant are not in a position to deny these factual assertions. They have, however, argued that the allegations against the petitioner are also equally serious since he also raped the minor.

Of-course the petitioner would be liable to suffer whatever punishment is imposed upon him. Consequently, without commenting upon the merits of the case and by noticing the distinction between the case of the petitioner and that of Lalit and Sonu and the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the satisfaction of the trial Court.

Petition stands disposed of.

December 04, 2015
'kk'

(AJAY TEWARI)
JUDGE