

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-21765 of 2015

Date of decision : July 13, 2015

Ajit

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Rahul Deswal, Advocate, for the petitioner
Mr. Deepak Sabharwal, Addl. AG Haryana
Mr. Sunil Panwar, Advocate, for the complainant

Fateh Deep Singh, J. (Oral)

The allegations against the petitioner are that on 29.11.2013, he being younger brother of the husband of prosecutrix had raped the prosecutrix while they were alone in the house.

Counsel for the petitioner Mr. Rahul Deswal has argued that the FIR has been registered after a delay of almost one year and four months and that there is no medical evidence to corroborate the allegations of rape and which argument could not be controverted on behalf of the State.

Without commenting on merits of the case and keeping in view that at present there is matrimonial dispute pending between husband and wife/prosecutrix aged around 30 years and that case being of false

implication cannot be ruled out and the petitioner is in custody since 15.5.2015 and the trial is not likely to conclude in the near future, this Court is of the opinion that further detention of the petitioner in the present case is not warranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Mewat.

The present petition stands disposed off accordingly.

July 13, 2015
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(Fateh Deep Singh)
Judge