

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

CRM-M-21779 of 2015
Date of Decision: July 15, 2015

Jai Pal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. S.S. Narula, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

This is a second petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.381 dated 18.4.2014 under Sections 376,342,506,509,332,353,186,120-B IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act registered at Police Station, City Karnal, District Karnal.

The allegations against the petitioner in this second regular bail application are that on 17.4.2015 around 6.30 p.m. co-accused/non-applicant Ramesh had called the prosecutrix, who is major, to a shop and on the pretext of marriage alleged to have been committed rape upon her. Learned counsel for the petitioner has submitted that similarly placed co-accused Harish Arya has been allowed regular bail vide orders dated 29.5.2015 of this Court and that the case of the present petitioner

is not at variance from that accused. The contentions of the learned counsel for the petitioner that the prosecutrix in her stand before the trial Court has not supported prosecution's version and even in her statement under Section 164 Cr.P.C. made before the Magistrate she has testified in favour of the accused have not been controverted on behalf of the State.

Since the petitioner is in custody from 4.6.2014 and no specific role is attributed to him, thus, keeping in view that the similarly placed co-accused has been allowed regular bail, and in view of the principle of parity, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

July 15, 2015
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