

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

CRL. MISC. No.M-21781 OF 2015
DATE OF DECISION : 15th July, 2015

Sandeep

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Jarnail S. Saneta, Advocate for the petitioner.

Mr. Baljinder Singh Virk, DAG, Haryana.

* * * *

SURINDER GUPTA, J. (ORAL)

This petition has been filed for grant of regular bail to the petitioner in case bearing FIR No.329 dated 28.03.2015 registered at Police Station Panipat City, District Panipat, for offences punishable under Sections 376-D IPC.

Heard.

As per the allegation of the prosecution, the prosecutrix, after taking divorce from her husband, started living in a rented accommodation belonging to the petitioner. In the year 2014 the petitioner administered some intoxicant substance to the prosecutrix and committed rape with her and also prepared a video. Thereafter he had been blackmailing her under the threat to upload the video on internet. Once he brought his friend Jagdeep (co-accused) to her house and compelled her to have sexual intercourse with him as well.

Learned counsel for the petitioner submits that Jagdeep co-accused has already been allowed bail vide order dated 16.06.2015 passed

by this Court in CRM-M-19640-2015. The complainant is a divorcee and was living in the house of the petitioner. She was a divorcee and as per her allegation continued to have physical relations with petitioner for long. It was due to a financial dispute that she involved the petitioner in this case.

Learned State counsel submits that the allegations of complainant are specific against the petitioner. She has also alleged that the petitioner has prepared a video film but during the course of investigation no such video/Compact Disc could be recovered by the police.

Keeping in view the above fact and that the co-accused, having similar allegations, has already been allowed benefit of regular bail by this court, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Sandeep is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the Trial Court/Duty Magistrate, Panipat subject to following terms:-

1. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
2. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
3. He shall not leave the country without the previous permission of the Court.

15th July, 2015
'raj'

(SURINDER GUPTA)
JUDGE