

THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

219

CRM-M-36603 of 2014
Decided on : 06.02.2015

Sabar Ali

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr.Amit Dudeja, Advocate
for the petitioner.
Mr.R.K.Makkad, DAG, Haryana.

Ajay Tewari, J. (Oral)

This petition has been filed for grant of regular bail to the petitioner in case FIR No.119, dated 05.06.2014 registered under Section 376 IPC read with Section 6 of the POSCO Act, at Police Station Pinjore. The allegations against the petitioner are that he raped the daughter of the tenant who was a minor.

Learned counsel for the petitioner has argued that the petitioner has been in custody for the last eight months and even as per the allegation in the FIR, it was a case of consent and as per the opinion of the Medical Board, the age of the prosecutrix was between 17 to 21 years.

Learned State counsel has argued that only three official witnesses remain who have been summoned for 11.02.2018 for evidence and therefore, bail application of the petitioner should be rejected. In my considered view, in case the aforesaid three official witnesses do not appear to give their testimony, the trial court would release the petitioner on regular bail on its satisfaction.

Petition stands disposed of.

[Ajay Tewari]
Judge

06.02.2015

sd