

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

CRM-M- 40736 of 2015

Date of Decision: December 08, 2015

Zakir

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Sandeep Jasuja, Advocate
for the petitioner.

Mr.Arun Luthra, AAG, Haryana.

Rajan Gupta, J (Oral)

This is a petition under Section 438 Cr.P.C seeking anticipatory bail in a case registered against the petitioner under Sections 376-D and 506 IPC at Police Station, Rozka Meo, District Mewat vide FIR No.85 dated 29.6.2015.

FIR was lodged by complainant-Anisha. She alleged that on 25.6.2015, Zakir (petitioner herein) had come to her house. Finding her sick, he offered that she would be taken for treatment. Zakir took her in a vehicle to a remote place where she was raped by him and co-accused turn by turn. Prosecutrix recorded her version under Section 164 Cr.P.C before the J.M.I.C. Stand of the petitioner is that he has already married the prosecutrix and no cause of action survives. I find no substance in this plea. Offence is under Section 376-D of the IPC, which attracts the sentence of life imprisonment. Besides, learned State counsel submits that petitioner is already married having 7 children. Petition for anticipatory bail is thus without any merit and is dismissed.

**(Rajan Gupta)
Judge**

December 08, 2015
BB