

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

**CRM-M No. 41979 of 2015 (O&M)
Date of Decision: 17.12.2015**

Rantej

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rajesh Bhateja, Advocate for
Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. Rajiv Doon, AAG, Haryana
for the respondent/State alongwith ASI Giatra.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the petitioner in case FIR No. 02 dated 30.08.2015 for the offences punishable under Sections 376 and 506 of the Indian Penal Code, registered at Police Station Women, Panipat.

As per the allegations of 27 years' old teacher prosecutrix, her real grand-father had taken her to place where she has administered some intoxicating substance in a cold drink and taking advantage of the intoxication, the petitioner-accused is alleged to have committed rape on her.

It is contended that a false story has been put up. In fact the petitioner and the prosecutrix had solemnized their *Nikah* ceremony on 01.07.2015 as per marriage certificate (**Annexure P-1**). He further submits that both the prosecutrix and the petitioner in the presence of the witnesses had acknowledged their marriage on a document

executed on 06.07.2015 ((**Annexure P-2**)). It is further submitted that the petitioner is in custody since 31.08.2015 and after completion of the investigation, challan has been presented.

Learned State Counsel, assisted by ASI Giatra is unable to refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the facts noticed above and custody period of the petitioner, no useful purpose would be served by keeping the petitioner/accused in custody, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of CJM/Duty Magistrate, Panipat.

December 17, 2015

'dk kamra'

(JASWANT SINGH)
JUDGE