

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

**Crl. Misc. No.M- 42150 of 2015
Date of decision : 17.12.2015**

Sandeep @ Kaka

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. M.S. Dhillon, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, Asst. AG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 127 dated 12.09.2014, registered under Sections 376, 323, 452 IPC, Police Station Bhogpur, District Jalandhar.

Heard.

The counsel for the petitioner contends that the petitioner was arrested on 16.09.2014 and the complainant and her husband have been examined. It was urged that the prosecution has put forward an improbable story and the incident could not have taken place at home as it is a joint family and the

petitioner had been named as there was enmity between the family of the prosecutrix and the accused.

The State counsel urges that the allegations were that when the rest of the family members had gone out for work the accused entered the house and tore her clothes and the petitioner committed rape while the other person caught hold of her. It was stated that the incident took place at 9:00 AM and the doctor had examined the prosecutrix at 10:45 AM and the FSL report has also been received.

It is for the trial Court to find out the truth about the veracity of the prosecution case. The FSL report has been received. The prosecutrix was examined one and a half hour after the incident. The complainant was beaten up and raped with a view to teach her a lesson. No case for bail is made out.

The petition is dismissed.

17.12.2015
sunil

(ANITA CHAUDHRY)
JUDGE