

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 43966 of 2014

Date of decision : January 08, 2015

Amit Kumar,

..... Petitioner

v.

State of Haryana and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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

Mr. SP Singh, DAG Haryana

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No. 211, dated 4.5.2013, registered under Sections 363, 366, 376(2)(N) of the IPC and Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Narnaund, District Hisar.

Counsel for the petitioner has argued that after the prosecutrix went missing, she first made a statement before the Magistrate under Section 164 of the Cr.P.C that she was residing with one of her friends, namely, Asha because her parents were pressurizing her to marry with some one else. On her statement, the original FIR of missing was cancelled.

Thereafter, she filed a petition for protection before this Hon'ble Court for

herself and for her husband Jatinder. The said petition was also allowed. Now in an abrupt 'U' turn, she made the third statement stating that she was actually taken by the present petitioner who had raped her on the pretext of marriage. He has further argued that apart from the merits of the case, the petitioner has now been in custody since 29.10.2013 and that the trial will take long time to conclude.

Counsel for the respondent, on instructions from ASI Jai Bhagwan, has accepted these factual assertions.

In this view of the matter, without commenting upon the merits of the case, and keeping in view the period of incarceration already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the satisfaction of the trial Court.

Petition stands disposed of.

January 08, 2015
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(AJAY TEWARI)
JUDGE