

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

**Crl. Misc. No.M-14644 of 2016
Date of decision : 05.05.2016**

Sumit Manga and another

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J.

The petitioners are seeking regular bail in FIR No.77 dated 11.02.2016, registered under Sections 498-A, 406, 323, 354-A, 376/511, 506/34 IPC, Police Station Sector 7, Faridabad, District Faridabad.

The counsel for the petitioner states that petitioner no.1 is the husband while petitioner no.2 is the brother-in-law who have been falsely implicated. It was urged that the petitioners are in custody since 23.03.2016. Counsel further contends that it was a love marriage which had taken place on 29.04.2012 and the girl had left home on 19th November, 2015 and she has levelled allegations under Section 376/511 IPC against the brother-in-law who is already married and has children. The counsel has referred to the various phone calls made by the complainant to the police and the feedback recorded by the police.

The State counsel states that the challan has been filed and the allegations are serious.

The complainant is working with British Telecom. It was a love marriage. The allegations of attempt of rape have been levelled against petitioner no.2 but the FIR does not contain any specific date or month. In the statement made under Section 164 Cr.P.C., the complainant has come up with exxggerated account, which will have to be tested by the trial Court.

The trial will take long time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate.

05.05.2016

sunil

(ANITA CHAUDHRY)
JUDGE