

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

**Crl. Misc. No.M-24547 of 2016 (O&M)
Date of decision : 16.08.2016**

Ram Parkash Verma

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.71 dated 13.05.2016, registered under Sections 354-A IPC (Section 376 IPC added later on), Women Police Station Faridabad, District Faridabad.

Counsel for the petitioner contends that the petitioner is in custody since 28.05.2016 and investigation is over and challan has been filed and charge has been framed. He says that the complainant is a married woman and the petitioner is 65 years old and his medical report is available on record which itself disproves the prosecution case. It was urged that the petitioner had filed a complaint in December, 2015 against the prosecutrix and the present case is counter blast to his complaint. It was urged that in the statement made under Section 164 Cr.P.C. the version is different. The counsel also refers to the allegations levelled in the FIR and had urged that there were no allegations under Section 376 IPC.

The complainant is a married woman with four children. The petitioner is 65 years old. The medical report goes against the prosecution. A complaint had been given by the petitioner earlier. Civil litigation is going on between the parties. The trial will take long time to conclude.

Without commenting upon the merits of the case, the petition is allowed with a rider that the petitioner would not tamper with the evidence or contact the prosecutrix. 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.

16.08.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No