

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-28849 of 2016

Date of decision : 24.08.2016

Narender

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Kunal Dawar, Advocate for the petitioner

Mr. Sharad Kumar Yadav, DAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 123 dated 28.07.2015 registered at Police Station Chhainsa, District Faridabad, Haryana under Sections 376, 354-A, 342, 34 IPC (Section 365 IPC added later on).

Learned counsel for the petitioner contends that the petitioner is in custody for over a year and the FIR was lodged after delay of 54 days and the complainant who is a married lady was missing from the house for three days and the husband did not lodge a complaint. He further contends that the allegations are that she was taken on a motor cycle and now some more people have been named and application under Section 319 Cr.P.C. has been allowed and the trial will take time.

The petitioner is in custody since 28.07.2015. The complainant is a married woman. She was away from home for three days and some additional accused have now been summoned including the sister of the petitioner.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate with a condition that petitioner will not temper with the evidence.

August 24, 2016

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(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No