

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32568 of 2016
Date of Decision: 21.09.2016

Vinod

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.S.S.Khurana, Advocate, for the petitioner.

Mr.Himmat Singh, DAG, Haryana.

Mr.Arvind Kumar Yadav, Advocate, for the complainant.

RITU BAHRI, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for granting regular bail to the petitioner in FIR No.178 dated 27.07.2016 under Sections 147, 149, 323, 354, 376, 506 IPC, registered at Police Station Kosli, District Rewari.

As per allegations in the FIR, on 26.07.2016, complainant alongwith her *devrani* Resham wife of Dharmender and Rajesh wife of Sombir were going to see the plot. When they reached at Jagmal Chowk then there petitioner along with some persons whose name are mentioned in the FIR were standing there and suddenly petitioner tried to outrage the modesty of the complainant. When Resham and Rajesh came to rescue the complainant then petitioner scuffled with the complainant and abused Rajesh and Resham. Apart from this, petitioner snatched the ear rings of complainant and Resham and caused injuries to them. The petitioner also gave threatening to kill the complainant and her sister-in-laws. The

complainant and her sister-in-laws were saved by some local persons.

After registration of FIR, petitioner was arrested on 03.08.2016 along with co-accused. His application for bail was declined vide order dated 23.08.2016 on the ground that the allegations covered within the definition of rape and his MLR and the complaint made was after the registration of the present case.

Learned counsel for the petitioner submits that the alleged date of occurrence in the above-mentioned case is 26.07.2016 and the FIR was registered on 27.07.2016 after due deliberation and consultation which was not disputed by the counsel for the State. He further submits that complainant and her family members caused injuries to the petitioner, Kamal and Anand for which they were medico legally examined. The copies of the MLRs of the petitioner and his brothers were attached with this petition as Annexure P-3 to Annexure P-5. As per MLR (Annexure P-3), the petitioner had received simple injuries.

Learned counsel for the State has opposed the grant of regular bail to the petitioner and submits that further investigation is still going on in the matter.

In view of the above and considering the fact that trial would take long time to its own conclusion, petitioner be released on regular bail subject to the satisfaction of Duty Magistrate/Illaq Magistrate, Rewari.

Disposed of accordingly.

(RITU BAHRI)
JUDGE

21.09.2016
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