

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

Crl. Misc. No. M-36687 of 2016

Date of decision : 21.10.2016

Harbans Singh

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. P.S. Sular, Advocate
for the petitioner

Ms. Mahima Yashpal, A.A.G, Haryana

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 141 dated 25.08.2015, registered at Police Station Ambala Sadar, District Ambala, who has been booked for having committed the offence punishable under Sections 376/506 IPC.

Learned counsel for the petitioner submits that the petitioner is 68 years old and the prosecutrix is 38 years old. In cross examination of the prosecutrix, she has admitted that she had family relations with the petitioner for the last 6/7 years and petitioner never committed rape upon her. Further she stated that she had compromised the matter and accepted Rs.4 lacs. She was having the knowledge that the petitioner is married man.

Learned State counsel on instruction submits that the challan in the present case has been presented.

The petitioner is in custody since 26.08.2015

Keeping in view the fact that the petitioner as well as prosecutrix were major and the prosecutrix has stated that petitioner had not committed rape upon her and the fact that trial is likely to take some time to conclude, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ambala.

21.10.2016

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No