

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

Crl. Misc. No.M-39928 of 2016

Date of decision : 18.11.2016

Baldev Singh

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sultan Singh Lamba, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Mr. B.S. Aulakh, Advocate
for the complainant.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.246 dated 11.07.2016, registered under Sections 363, 366(A), 120-B IPC, Police Station Rania, District Sirsa.

The counsel for the petitioner contends that the petitioner is in custody since 13.09.2016 and he was not named in the FIR nor he was named in the first statement made under Section 164 Cr.P.C. and the second statement was made five days later and it was only stated that Baldev came to tell the main accused that the complainant side had lodged a complaint with the police. Counsel further states that Ajay and Lovedeep had been arrested and anticipatory bail had been allowed to Balwinder and the police has completely exonerated Sucha against whom similar allegations as were

made against Ajay and Lovedeep were made and challan was not filed against Sucha Singh. It was urged that the prosecutrix has made different statements at different points of time and in the MLR there is no reference to the petitioner and two other persons had been named before the Medical Officer.

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

18.11.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No