

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-85 of 2016

Date of decision : 12.02.2016

Ravi

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Mahender Singh Chahal, Advocate for the petitioner

Ms. Mahima Yashpal, DAG Punjab

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 193 dated 02.07.2014 registered at Police Station Badhra District Bhiwani under Sections 376-D, 376(2)(1), 376(2)(N), 366 A, 342 and 506 IPC, Section 6 of the POCSO Act and Section 25 of the Arms Act.

Custody certificate has been placed on record. According to which the petitioner is in custody since 1 year, 7 months and 3 days.

Learned counsel for the petitioner contends that there was a dispute relating to the construction and a DDR was entered on 26.6.2014 and present FIR had been lodged subsequent to that and the allegations are that rape was committed on the girl firstly on 04.01.2014 then in March 2014 and lastly on 21.05.2014. He further contends that the complainant side are trying to prolong the trial and they had filed an application under Section 319 Cr.P.C. which was dismissed. He further states that 12 witnesses have already been examined including the prosecutrix.

The main witness has already been examined. 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.

February 12, 2016

**(ANITA CHAUDHRY)
JUDGE**