

Criminal Misc.No.M-9442 of 2016 (O&M)
Date of decision: 06th May, 2016

Jagmohan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mohammad Arshad, Advocate,
for the petitioner.

Mr.Vikramjit Singh, Addl. A.G., Haryana,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner Jagmohan has preferred the third petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No.787 dated 22.10.2013, registered at Police Station City Bhiwani, District Bhiwani, under Sections 363, 365, 376-D, 343, 506 IPC and Section 3 of the Schedule Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 read with Section 6/15 of the Protection of Children from Sexual Offences Act.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, this Court finds that in the present case, the FIR has been registered on the statement of father of the prosecutrix, who was aged 17 years at the time of occurrence. As per prosecution version, the allegation of rape on the basis of

blackmailing has been levelled against the petitioner. The petitioner is in custody since 23.12.2013. Now the changed circumstances are that the main accused has already been granted bail by the Co-ordinate Bench of this Court.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merit of the case and also on the ground of parity that the main accused has already been granted bail by the Co-ordinate Bench of this Court, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds in the sum of ` 50,000/- with one surety in the like amount to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Bhiwani.

06th May, 2016
mamta

(INDERJIT SINGH)
JUDGE