

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-21754 of 2017
Date of Decision: 05.7.2017**

Narender

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.D.Sudhi, Advocate,
Mr. Dinesh Kr. Dakoria, Advocate and
Mr. Himanshu Rao, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J (ORAL)

The petitioner is seeking regular bail in FIR No. 26 dated 18.3.2016, registered at Police Station Women Police Station, Rewari, District Rewari under Sections 120-B, 328, 342, 366, 376-D, 506 IPC.

Counsel for the petitioner contends that petitioner is in custody since February 2017 and anticipatory bail has been allowed to Govind, Bansi whereas Nihal alias Neta had been allowed regular bail. He further submits that DNA test report has been received which does not match with the petitioner and the complaint is by a married lady and the FIR had been lodged after three days of the incident. The counsel further submits that no external mark of injury was found on any part of the body and they have placed the MLR on record and the statement of the prosecutrix has been recorded by the Court below.

Considering the circumstances of the case and also keeping in

mind the fact that the prosecutrix has been examined and the DNA report does not match with the sample taken of the petitioner, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

July 05, 2017
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No