

IN THE HIGH COURT OF PUNJAB & HARYANA,
CHANDIGARH

Crl. Misc. No. M- 21928 of 2017
Date of decision. 21.06.2017

Lokesh @ Lovely

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. Ashit Malik, Advocate
for the petitioner.

Mr. Parveen Aggarwal, DAG, Haryana

HARINDER SINGH SIDHU, J.

Lokesh @ Lovely, the petitioner has sought regular bail in a case FIR No. 120 dated 27.12.2015 at Police Station Women, Sonapat, District Sonapat, for offence punishable under sections 323, 365, 376, 452, 506 read with Section 34 IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012.

The allegations in the FIR, lodged by the complainant Bhavna, are that on 27.12.2015 at 11.00 pm when she came out for urinating, the petitioner and Pardeep alongwith two other unknown boys entered her house and forcibly took her and her cousin sister Sweety from the house. While the complainant Bhavna was taken by Pardeep to his house where he committed raped with her. Sweety was taken by Lokesh and the other two unknown boys and Lokesh committed rape with her. They were threatened that if they disclosed about this incident, the complainant and her family members would be killed.

Learned counsel for the petitioner states that the allegations levelled in the FIR are totally false. In fact the petitioner and his co-accused (Pardeep) are known to the complainant and Sweety and both of them went out with them of their own choice.

Admittedly, Sweety, with whom the petitioner is alleged to have committed rape was 19 years of age on the date of alleged incident. He further states that the medicolegal report disclosed that no injuries were present either on the complainant or Sweety.

Learned State counsel on instruction from the Investigating Officer has informed that 18 witnesses so far have been examined in this case.

Keeping in view the fact that the petitioner is in custody since 30.12.2015 and no useful purpose would be served to further detain him in custody, the present petition is allowed. The petitioner be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate Sonapat.

June 21, 2017
dinesh

(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No