

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

CRM-M-45198-2017 (O&M)

Date of decision : 29.11.2017

Tarif Hussain @ Tarif

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN**

Present: Mr. Saleem Ahmed, Advocate for the petitioner.

**JITENDRA CHAUHAN, J. (Oral)**

The petitioner seeks anticipatory bail under Section 438 of the Code of Criminal Procedure, in FIR No.55 dated 14.02.2017, registered under Sections 363, 366-A and 376 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, at P.S. Ferozepur Jhirka, District Nuh (Mewat).

Learned counsel refers to Annexure P-2 to contend that the prosecutrix was in relationship with one Afsar and solemnized marriage with him. During the course of investigation, no incriminating evidence could be collected against the petitioner. Even in the statement of the prosecutrix recorded under Section 164 Cr.P.C., the petitioner has not been said to be person who committed rape upon her. He has been summoned under Section 319 Cr.P.C.

Notice of motion.

At the asking of the Court, Ms. Mahima Yashpal, AAG, Haryana, accepts notice. A complete copy of the paper book has been handed over to learned State counsel, in the Court.

Heard.

Keeping in view the totality of the facts and circumstances, it is ordered that in case, the petitioner surrenders before the trial Court within a week from today, he be admitted to bail subject to furnishing bail bonds and surety bonds, to its satisfaction.

Disposed of.

**29.11.2017**  
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**(JITENDRA CHAUHAN)**  
**JUDGE**

|                               |     |    |
|-------------------------------|-----|----|
| Whether speaking / reasoned : | Yes | No |
| Whether Reportable :          | Yes | No |