

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8395-2017

Date of Decision:- 04.05.2017

Pardeep

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. N.S. Sekhawat, Advocate, for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Mr. Abhijat Gaur, Advocate, for the complainant.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.120 dated 27.12.2015, under Sections 323, 365, 376, 452 and 506 IPC read with Section 34 IPC and Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Women, Sonapat.

Learned counsel for the petitioner submits that in the FIR the allegations against the petitioner are that on 27.12.2015 at around 11.00 PM when the complainant Bhavna had gone outside her house along with her cousin Sweety then the petitioner along with other co-accused forcibly took them in another house and committed rape upon them. During the trial, Deepak one of the cousin of above two girls, stated that there was toilets in

the house as well. During cross-examination, Deepak while appearing as

PW-3 has admitted that there are two bathrooms in the house and there is no need to go outside for call of nature. Moreover, there was ample evidence to show that both complainant Bhavna and her cousin Sweety were having love affair with the accused and the petitioner has been falsely implicated in the present case.

Learned State counsel, on instructions from investigating officer, has informed that out of total 18 witnesses, 7 have been examined so far.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 30.12.2015. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Sonapat.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

May 04, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No