

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

Crl. Misc. No.M-11087 of 2018 (O&M)
Date of decision : 21.03.2018

Vijay

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Nand Lal Sammi, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Rajesh.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.0509 dated 02.12.2017, registered under Sections 323, 376, 506 IPC, Police Station Sadar Sonipat, District Sonipat.

Counsel for the petitioner contends that the petitioner is in custody since 05.12.2017 and challan has been presented. Counsel for the petitioner also contends that a complaint (Annexure P-2) had been given earlier and inquiry was held and the petitioner was challaned under Section 107, 151 Cr.P.C. and later on complainant gave a different version altogether and made allegations of rape. Counsel also submits that another case had been got registered where the complainant's daughter was shown to be a victim of rape and they are habitual in making such complaints.

Investigation is over, challan has been presented. There is a disparity in the version given in June 2017 and the incident on which the FIR was subsequently lodged in December 2017.

The trial will take time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate, subject to the condition that the petitioner would not contact the complainant or her family members.

21.03.2018

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No