

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-14333 of 2018
Date of Decision: 11.5.2018**

Rampat

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. R.K.Girdhwal, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by HC Pritam.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 140 dated 2.6.2017 registered at Police Station Salhawas, Jhajjar, Haryana under Sections 323, 354-B, 506, 34 IPC and Section 8 of POCSO Act.

Counsel for the petitioner contends that the petitioner is in custody since 8.6.2017 and all the material witnesses have been examined. He further states that the bailable warrants have to be issued to procure their presence and the case is being adjourned from October onwards to seek their presence.

State counsel informs that Kalu Ram is yet to be examined.

The allegations against the petitioner are that the victim had gone to the plot to fetch fodder and the accused came from behind and gagged her mouth and tore her clothes and when she tried to run away she was thrown on the ground. She raised alarm and her mother and sister came to the spot.

The petitioner has placed on record the MLR and their version is that there was a fight between the two families and the petitioner was beaten up on 2.6.2017 and this incident had been concocted.

Considering the circumstances and without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, 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 with a condition that he will not contact the family of the complainant or Kalu Ram.

(ANITA CHAUDHRY)
JUDGE

May 11, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No