

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

**Crl. Misc. No.M- 14874 of 2018 (O&M)
Date of decision : 20.04.2018**

Billu @ Baba Amanpuri

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Akashdeep Singh, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Satish Kumar.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 358 dated 13.10.2017, registered under Section 328, 376-C, 506 IPC, Police Station City Tohana, District Fatehabad.

Counsel for the petitioner contends that the allegations are that the petitioner had raped the victim, a married woman. He states that the challan had been presented and the case was fixed for trial when a phone call was made and the prosecutrix side was demanding money, which was recorded and was handed over to the police and a raid was conducted and money was recovered and the complainant, her husband and conduit had been arrested.

The State counsel states that the prosecutrix has given an affidavit that she had falsely implicated the petitioner.

It appears that no DNA test was even carried out. The petitioner is in custody since October 2017. The FIR is also delayed. The complainant had been blackmailing the petitioner and had made a demand of money to change the statement.

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.

20.04.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No