

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-1672 of 2018

Date of Decision: 07.03.2018

Ajay @ Rakesh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajesh Bansal, Advocate
for the petitioner.

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

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 85 dated 7.11.2016 registered at Police Station Women, Panipat, District Panipat under Sections 376-C, 506 IPC.

Counsel for the petitioner contends that the petitioner is in custody since 7.11.2016 and the main witnesses have been examined. The counsel further submits that the MLR would show that there were no external injuries and the hymen was old and healed therefore, the allegations that the girl was raped the previous evening are false and the reason for involving him appear from the statement made by the girl under Section 164 Cr.P.C. Counsel further submits that a call had been received regarding which a quarrel took place in the house and the father of the victim was angry and on the same day, the maternal uncle and the maternal grandfather arrived in their house and her maternal grandfather went back and the

allegations are that the uncle took the responsibility for her studies and he took her along and that was the reason and the girl is in some relationship which had been discussed by the family.

State counsel urges that the injuries were found on the upper part of the body and the prosecutrix has named the petitioner and semen was found on the clothes. State counsel further submits that seven witnesses have been examined out of 15 witnesses which included the doctor.

Counsel for the petitioner states that only the official witnesses remain to be examined and there is no question of any tampering.

The case is fixed for 4.4.2018 for remaining evidence. The main witnesses have been examined. The petitioner is in custody since November 2016. The prosecution would examine all the witnesses on 4.4.2018. It will be the duty of the prosecution to take necessary steps i.e. issuance of summons etc. well in time and produce their witnesses. The trial Court would expedite the trial.

The petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

March 07, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No