

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-17525 of 2018

Date of Decision: 17.5.2018

Firoj alias Sonu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vishva Nath Sharma, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by SI Dalbir.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 92 dated 20.7.2017 registered at Police Station Quilla Panipat, District Panipat under Sections 354-A, 506, 376, 323, 498-A IPC.

Counsel for the petitioner contends that petitioner is in custody since 17.10.2017 and he is the *jeth* and allegations of rape have been levelled against him and the FIR has been lodged after four days and there is no medical examination. Counsel further submits that petitioner's brother was accused of enticing the girl but the couple had come for protection to the High Court. Counsel also states that the complainant did not appear before the Court below though she had been directed to appear for her statement.

State counsel informs that the complainant along with her counsel was present on the last date and she had been asked to appear on 16.5.2018 but the complainant failed to appear andailable warrants have

now been issued for 23.7.2018.

Considering the fact that there is no MLR and the petitioner's brother and the girl had sought protection vide Annexure P-1, there are disputed facts. The bailable warrants against the complainant have now been issued.

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.

(ANITA CHAUDHRY)
JUDGE

May 17, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No