

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

Crl. Misc. No.M- 30432 of 2018

Date of decision : 26.07.2018

Harpreet Singh @ Honey

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 58 dated 05.04.2017, registered under Sections 376, 506 IPC (Sections 376-D, 323, 363 IPC added later on) Police Station City Faridkot, District Faridkot.

Counsel for the petitioner contends that this is the second bail petition and the first bail petition was withdrawn on 20.03.2018 and refers to Annexure P-3. Counsel for the petitioner contends that the complainant is a married woman and she had not given all the details in the FIR and allegations were levelled that two unidentified men forcibly took her on a motorcycle to a vacant house where she was raped. The counsel says that the victim had been married in 1998 and a divorce petition had been filed by the husband. It was urged that in the cross-examination the complainant had

stated that she came to know the name of the accused and their parentage from the police. The counsel says that there is no injury and in the statement recorded under Section 164 Cr.P.C., she had disclosed the name of the accused but after five days.

The petitioner is in custody for over four months. The statement of the complainant has been recorded. The accused were not known to her. In the cross-examination, she had stated that the names were provided by the police.

The trial would take time. Without commenting on 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.

(ANITA CHAUDHRY)
JUDGE

26.07.2018
Sunil

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No