

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

**CRM-M-33967-2018
Date of Decision: 29.08.2018**

Rajesh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ved Prakash, Advocate
for the petitioner(s).

Mr. Arun Kumar, A.A.G., Haryana.

ANITA CHAUDHRY, J

Petitioner is seeking regular bail in FIR No.022 dated 09.12.2017, registered under Sections 376D, 450 & 506 of IPC at P.S. Women Police Police Station Dadri, District Charkhi Dadri.

Learned counsel for the petitioner contends that the petitioner is in custody since 08.01.2018 and challan has been presented. Counsel further states that the incident is of 25.10.2017 but the FIR was lodged after 44 days and the complaint is by a married woman. Counsel submits that the petitioner was not named in the FIR or in the statement made under Section 164 Cr.P.C. and it is the co-accused who named him. Counsel states that there was a dispute between Mahender Singh and the complainant as the prosecutrix is a tenant in the house of Mahender.

Considering the peculiar facts and circumstances that the petitioner not named in the FIR or in the statement made under Section 164

Cr.P.C., the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the trial Court/Duty Magistrate with a condition that the petitioner will not contact the complainant.

August 29, 2018
ps-I

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No