

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-39263 of 2018
Date of Decision: 13.9.2018**

RajeshPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Tejinder Pal Singh, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 65 dated 30.1.2018 registered at Police Station Quilla Panipat, District Panipat under Sections 376 IPC (Section 376 (2) (n) IPC added later on).

Counsel for the petitioner contends that complainant is 40 years old and her daughter is married and she had earlier filed a complaint in September 2017 and had made a statement 10 days later and had withdrawn it vide Annexure P-5 and thereafter she filed a complaint in the Court with respect to the allegations of enticement and rape which she withdrew and then lodged the FIR. Counsel further submits that the petitioner had filed an application offering to get the DNA test. The counsel also submits that the trial would take time as the case has not been committed yet.

The petitioner is in custody for over seven months. The case is yet to be committed. The trial would take time.

Without commenting anything on the merits of the case and considering the peculiar facts of the case and the repeated complaints and

the statements made by the complainant to the police and in the Court, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate with the condition that he would not approach the complainant or tamper with evidence in any manner.

(ANITA CHAUDHRY)
JUDGE

September 13, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No