

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

**Crl. Misc. No.M- 43180 of 2018
Date of decision : 05.10.2018**

Jagminder @ Kala

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Lajpat Sharma, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking regular bail in FIR No. 186 dated 08.08.2017, registered under Section 376-D of IPC, Police Station Kalayat, District Kaithal.

Counsel for the petitioner submits that the petitioner is in custody since 19.08.2017 and the prosecutrix has been examined and the complainant is a married woman and DNA did not match.

The State counsel informs that 13 witnesses have been examined and only five witnesses remain to be examined.

The complaint had been made by a married woman accusing a number of persons of rape. The allegations are that she was going to her parent's house and she was picked up from the bus stand Kaithal and she

was contacted on phone by Kala and she called him to the village and both of them went to Kaithal when the others also came and raped her.

The DNA has not matched. The trial will take long time to conclude. Without commenting upon 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.

05.10.2018

Sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No