

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

CRM-M-47784-2018 (O&M)

Date of Decision: 02.11.2018

Dharmender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Akashdeep Singh, Advocate
for the petitioner(s).

Ms. Priyanka Sadar, A.A.G., Haryana.

Mr. Ravinder Malik, Advocate
for the complainant.

ANITA CHAUDHRY, J

Petitioner is seeking regular bail in FIR No.148 dated 24.07.2018 registered under Sections 363, 366A, 376 and 120-B IPC and Sections 6 & 8 of POCSO Act at Police Station Lakhan Majra, District Rohtak.

Learned counsel for the petitioner contends that the petitioner is in custody since 31.07.2018 and challan has been presented. Counsel further states that the girl was missing from 23.07.2018 and the FIR has been lodged the next day. The girl was recovered from Haridwar with Sanjay and allegations of rape have been levelled against Sanjay who has been arrested. The allegations against the petitioner are under Sections 363 and 120-B IPC.

Counsel for the complainant states that the petitioner is the main accused as it was his car in which the girl was taken away.

It is stated by the State counsel that the victim and the accused were in a car but the car developed a snag and they boarded train from Rotak and Sanjay and the girl went to Haridwar.

The victim is over 17 years of age. Her recovery was effected from Haridwar and she was present along with Sanjay against whom allegations of rape were made.

Challan has been presented. Trial would take time. Without commenting anything on the merits of the case, petition is allowed. Petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate.

November 02, 2018

ps-I

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No