

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

Crl. Misc. No.M- 53586 of 2018

Date of decision : 13.12.2018

Madan

....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Bishan Dass Rana, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 282 dated 06.10.2017, registered under Sections 323, 343, 376-D, 370-A, 506, 34 IPC, Police Station Adampur, District Hisar.

Counsel for the petitioner contends that the first petition was withdrawn and the petitioner is in custody since 06.10.2017 and the allegations are that the petitioner had raped the victim. The counsel says that the trial is taking time and seeks parity with Pooja and Dinesh who were allowed bail.

The State counsel informs that the first petition was withdrawn when the Court was not inclined to grant bail and had expressed the view and it is at that juncture that the petition was withdrawn. Counsel further informs that only one witness remains to be examined and the prosecutrix has stood-by her statement. State counsel further submits that there were no allegations of rape against Dinesh.

The petitioner is not entitled to parity with Dinesh or Pooja. The allegations against them were entirely different. The prosecution has already examined 12 witnesses out of 14 PWs. The State counsel had informed that one witness thereafter was given up and only one remains to be examined the the case is fixed for 14.01.2019.

In view of the seriousness of the allegations and considering that the prosecutrix has also stood-by her statement, I am not inclined to grant bail.

The petition is dismissed.

13.12.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No