

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-6482 of 2018

Date of Decision: 23.2.2018

Satish Kumar

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. L.S.Sekhon, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. Mandeep K. Dhot, Advocate
for the complainant.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 364 dated 8.11.2017 registered at Police Station City Sangrur, District Sangrur under Sections 376, 506, 120-B IPC.

Counsel for the petitioner contends that challan has been presented and no allegations of rape have been levelled against the petitioner and the main allegations are against Harinder Singh who is alleged to have taken the prosecutrix in his car.

The petition is opposed by the complainant and the State.

Counsel for the complainant urges that the victim had approached the High Court with the petition under Section 482 Cr.P.C. and directions had been issued on 12.1.2018 and it was the petitioner who had asked the victim to sit in the car and accompany Harinder Singh who had committed rape on her.

The allegations in the complaint are that the prosecutrix, a married woman, works as a maid in the house of Simarjit Kaur. Simarjit Kaur asked the maid to fetch some articles from the shop. The complainant came out of the house and the petitioner, who runs a *khokha* in front of the house, asked her to sit in the car to go to the market and on his asking, she sat in the car at 6.30 P.M. and she was taken to a secluded area and was raped. The complainant urges that she came back and went for work to Simarjit Kaur's house and when she came to know the name of the person she told her mother and the incident was reported to the police.

The occurrence took place on 3.11.2017. The FIR had been lodged on 8.11.2017. There are no allegations against the petitioner. Challan has already been presented.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate with the condition that he would not tamper with evidence.

(ANITA CHAUDHRY)
JUDGE

February 23, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No