

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M-4233-2019

Date of Decision:04.02.2019

**Rajender Kumar @ Akshay
@ Aashu**

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Munish Bansal, Advocate,
for the petitioner.**

Ms. Mahima Yashpal, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.0450 dated 02.11.2018 under Sections 354-A, 354-D IPC and Section 3(1)(S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station City Mandi Dabwali, District Sirsa.

Learned counsel for the petitioner has argued that there is apparent contradictions in the statement of the complainant made in the FIR and her statement made under Section 164 Cr.P.C. The allegation against the petitioner is that he used to follow the complainant, abuse her and called her 'Dhanki'. Petitioner threatened the complainant to defame her and caught her hand and pushed. When the complainant raised the noise, the people gathered at the spot and the petitioner ran away from the spot on his

motorcycle.

Petitioner is in custody since 03.11.2018.

Learned State Counsel on instructions from ASI Madan Lal does not dispute the custody period. However, she has argued that the allegations against the petitioner are serious. He used to follow and harassed the complainant time and again for the last about 5-6 months. He has commented on the character of the complainant.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 03.11.2018 and culpability of the petitioner is yet to be decided and trial in the case will take sufficient long time, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses in any manner directly or indirectly.

It is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case.

February 04, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No