

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-13807 of 2019
Date of Decision: April 02, 2019

Dixit

.....Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Chanderhass Yadav, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

Ms. Pushpinder Kaur, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

Petitioner Dixit, who is in custody since 25.09.2018 has preferred this first regular bail application in case bearing FIR 100 dated 29.04.2018 under Sections 366, 342, 376-D, 506 and 34 IPC registered at Police Station Kasola, District Rewari.

The precise facts that have come across to this Court are that the present case has been got registered on the statement of father

of the girl namely Karan Singh alleging that his daughter aged around 19 to 20 years on 23.04.2018 had gone missing from her house at morning time and, subsequently, the girl was got recovered on 24.09.2018 leading to the registration of the case and arrest of the accused/petitioner.

Mr. Chanderhass Yadav, learned counsel for the petitioner, *interalia*, contends that the principal accused Rahul has already been allowed same relief vide order dated 14.03.2018 and has placed on record Annexure P-2. It is further submitted that there is no specific role attributed to the petitioner in the commission of the offence arguing further that principal accused Rahul and the prosecutrix have since then entered into a wedlock.

Mr. Amrik Narwal, DAG, Haryana assisted by SI Ranbir Singh and Ms. Pushpinder Kaur, Advocate for complainant does not displace the facts brought to the notice of the Court by the counsel for the petitioner but has opposed the grant of relief on the ground that the petitioner was instrumental in ferrying the girl from her village Lodhana in Rewari to Rewari town and, thus, was not entitled to any relief.

Appreciating the submissions that principal accused Rahul has been allowed regular bail by this Court and that as per the own submission of the learned State counsel, the only role attributed to

the petitioner in the commission of the offence is that he had taken the girl on a motorbike from her village and dropped her at Rewari town. The petitioner is behind the bars since long and culpability, if any, of the petitioner shall be determined at the trial which is not likely to be concluded in the near future. This Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

April 02, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No