

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-29184-2018

Date of Decision:24.01.2019

Mamta

.....Petitioner

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Tushar Gautam, Advocate,
for the petitioner.

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

Mr. Abhishek Singla, Advocate for
Mr. K.P. Singh, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439(2) Cr.P.C. is for cancellation of regular bail granted to respondent No.2 by learned Additional Sessions Judge, Palwal vide order dated 18.06.2018 in FIR No.68 dated 13.06.2017 under Sections 376, 452, 506 IPC, registered at Women Police Station Palwal, District Palwal.

Learned counsel for the petitioner states that there is a consistent stand of the petitioner that the video clip as regards the incident is with respondent No.2, which is required to be recovered.

However, learned counsel for respondent No.2-accused has denied the allegation that there is any video clip in the case and the same is with him. Since respondent No.2 remained in custody from 31.03.2018 till

18.06.2018 and phone of respondent No.2 has already been taken in possession by the police, prayer of the petitioner for cancellation of bail granted to respondent No.2 by learned Additoinal Sessions Judge, Palwal, cannot be accepted. Moreover, these are the facts which are to be adjudicated during the course of trial.

Accordingly, the present petition is hereby dismissed.

January 24, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No