

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

**CRM-M-19281-2019 (O&M)  
Date of Decision : 11.07.2019**

Sachin alias Sameer ..... Petitioner  
Versus

State of Haryana ..... Respondent

**CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

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Present : Mr. Hitesh Verma, Advocate  
for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

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**RAJ SHEKHAR ATTRI, J. (Oral)**

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.134 dated 27.12.2018, registered under Sections 323, 376, 506 IPC, at Women Police Station, District Rewari.

The relevant facts as mentioned in para Nos.7 to 10 of the FIR reads as under:-

*“(7) That on 04.07.2018, I was at my matrimonial home, then I received a phone from an unknown person who told his name as Sameer. He told that he knew my husband. Sameer informed me that a girl named Reetu Aggarwal, who was earlier his girl friend, was having relationship with my husband Puneet Khurana and now they are friends and he wanted to take revenge from Reetu Aggarwal and she was his enemy. He further told that I can give you proof of relationship between my husband and Reetu Aggarwal. (8) I believed words of accused No.1-Sameer and got ready to collect the evidence. (9) That next day on 05.07.2018, accused No.1-Sameer called and told me that the evidence was in a hotel and he can give me the evidence in the hotel. (10) That*

*accused No.1-Sameer took me to the hotel and committed rape upon me against my wishes. My husband and Reetu Aggarwal were also present there and they made a video of my rape.”*

It is alleged that one Sameer had committed rape upon the prosecutrix and at that time her husband was accompanied by said Sameer. One Ritu Aggarwal made a video-graphy of the said occurrence. The statement of the prosecutrix has already been recorded.

The petitioner is stated to be in custody since 28.12.2018. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody any further.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Sachin alias Sameer is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the prior permission of the Court.

**11.07.2019**  
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**( RAJ SHEKHAR ATTRI )**  
**JUDGE**

Whether speaking/reasoned  
Whether Reportable

Yes/No  
Yes/No