

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

RaviPetitioner

State of Haryana ...Respondent

Present: Mr. Ravi Malik, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The brief allegations against the accused/petitioner in this first anticipatory bail application filed in this Court have been levelled by the complainant, who is a married lady, aged around 35 years. In her allegations, the complainant alleges that on 04.10.2018, around 3:00 PM in the afternoon, while she was standing waiting for a conveyance,

accused/petitioner-Ravi along with co-accused/non-applicant-Gullu @ Naveen came in a car bearing No. HR-74A/4584 and offered her a lift, which she accepted and they tried to molest her after administering her intoxicating drink.

Learned counsel for the petitioner *inter alia* contends that from bare perusal of the allegations, neither any offence of rape much less of any molestation, is made out and that co-accused has already been allowed anticipatory bail and thus, prayed for parity as well.

The learned State counsel, on instructions from SI Heramani, Police Station Women, Palwal, does not displace the facts, canvassed before this Court by learned counsel for the petitioner but has opposed the grant of bail on the grounds of seriousness of the allegations.

Going through the submissions, the co-accused/non-applicant-Gullu @ Naveen has been allowed anticipatory bail by this Court and the case of the petitioner is not distinguishable from that of the co-accused/non-applicant and, therefore, in view of the principle of parity and the fact that a debatable issue arises over the very applicability of Sections 376/365/372 of the Indian Penal Code which can only be adjudicated at the time of trial, the present petition is allowed.

In light of this, petitioner-Ravi would appear before the Investigating Officer within 15 days from today and shall fully cooperate in the investigations. On his doing so, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer till submission of report under section 173 Cr.P.C. (challan). He shall also

abide by the conditions specified under section 438 (2) Cr.P.C. Thereafter, on presentation of challan, petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off.

10.05.2019

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No