

CRM-M-41515-2019

Date of Decision : 01.10.2019

Rampal

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Lakshay Bajaj, Advocate
for the petitioner.Mr. Baljinder Singh Virk, DAG, Haryana
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

This order shall dispose off first regular bail application under Section 439 Cr.P.C in a case bearing FIR No.130 dated 24.06.2019 filed under Sections 376/511 (Section 323 added later on) of the Indian Penal Code registered at Police Station Sadar, Panipat.

The allegations against the petitioner have been levelled by a married lady aged around 35 years. In her allegations, the complainant states that on 16.06.2019, while she was in the house and the labour was carrying on masonry work, the complainant who was giving petitioner material of construction and latter tried to commit wrong act with her leading to the registration of the present

case and arrest of the petitioner after four days.

Learned counsel for the petitioner *inter alia* contends that it is a pure dispute over money and the petitioner is behind the bars for more than 03 months and that there is only allegations of attempt and has prayed for grant of bail.

On behalf of the State, the learned State counsel, assisted by ASI Kirpal Singh Police Station Sadar Panipat, though does not dispute the facts but has opposed the grant of bail on the grounds of heinousness of offences.

The petitioner, admittedly, is behind the bars for more than 03 months. It is only a case of alleged attempt to commit rape and the learned State counsel could not substantiate the allegations by any corroborative evidence, either medical or physical one, to show reasonable reasons of the accused having attempted to commit rape. Thus, culpability, if any, shall be determined at the trial, this Court is of the opinion that it would serve no useful purpose to further detain the petitioner in custody. Accordingly, he is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Illaq Magistrate of the Court concerned.

The petition stands disposed off accordingly.

01.10.2019

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No