

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-46504-2019 (O&M)

Date of Decision:- 6.11.2019

Amit Narang

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jagdish Manchanda, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Amit Narang, seeks grant of regular bail in a case registered vide FIR No.542, dated 9.7.2019, registered at Police Station City Panipat, District Panipat, under Sections 323, 354-D, 376, 452, 506 IPC.
2. The FIR was lodged at the instance of the prosecutrix aged about 21 years wherein it has been alleged that petitioner-Amit Narang had been chasing her and harassing her whenever she used to go out of

her home. It is alleged that he had raped her about 2 months back by entering into her house and had taken her obscene photographs and threatened to make the same viral and also used to give beatings to her.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged by the complainant and in fact it is a case where the prosecutrix and the petitioner were friends as would be evident from the photographs (Annexure P-4). Learned counsel has further submitted that in the statement of the prosecutrix recorded under Section 164 Cr.P.C. she has not stated a word regarding the alleged rape and has simply stated that the petitioner was forcing her to marry him and had clicked her photographs.
4. Opposing the petition, learned State counsel has submitted that since specific allegations have been levelled in the FIR, no case for grant of bail is made out. It has however, been informed that investigation has been concluded and challan already stands presented and that although charges have been framed but not even a single PW out of the cited 18 PWs has been examined so far.
5. Having considered rival submissions addressed before this court and while noticing that the prosecutrix in her statement recorded under Section 164 Cr.P.C. has not categorically stated a word regarding the alleged rape and also that the challan already stands presented and charges have been framed, further detention of the petitioner will not serve any useful purpose as the trial is likely to take some time for its conclusion. The petition, as such, is accepted and petitioner-Amit

Narang is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

November 6, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No