

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

CRM-M-53953-2019 (O&M)
Date of Decision:- 20.12.2019

Ravi Giri ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Vandana Sharma, Advocate for
Ms. Monisha Lamba, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana,
assisted by ASI Dalbir Singh.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Ravi Giri has approached this Court seeking grant of regular bail in a case registered vide FIR No.58, dated 15.5.2019, registered at Women Police Station, District Gurugram, under Sections 313, 376(2)(N) and 34 IPC.
2. The FIR was lodged at the instance of the prosecutrix, wherein it has been alleged that she knew petitioner-Ravi Giri since the last about 6 years being her friend. It is alleged that the petitioner had called her to meet his parents who asked her to marry their son i.e. petitioner-Ravi Giri and on this pretext the petitioner kept on maintaining physical relations with her. It is alleged that in November, 2018,

when she became pregnant, the aforesaid Ravi Giri as well as his brothers and mother got the pregnancy terminated. It is further alleged that Ravi Giri later went to his village and she had come to know that his marriage is fixed for 17.5.2019.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged against the petitioner and the falsity of the case would be evident from the fact that when the prosecutrix stepped into the witness box, she did not utter a word against the petitioner and was declared hostile.
4. Upon instructions from ASI Dalbir Singh, the aforestated position regarding the witness not having supported the case of prosecution is not disputed by learned State counsel.
5. Having regard to the facts and circumstances of the case and the fact that the prosecutrix has been declared hostile, further detention of the petitioner who has been behind bars since the last more than 6 months will not serve any useful purpose. The petition, as such, is accepted and petitioner-Ravi Giri 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.

December 20, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No