

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

Sr. No.208

**CRM-M-44408-2018 (O&M)
DECIDED ON: May 06, 2019**

PRINCE

..PETITIONER

VERSUS

STATE OF HARYANA

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Naveen Kaushik, Advocate, for the petitioner.

Mr. Pawan, DAG, Haryana.

RAJ SHEKHAR ATTRI, J. (ORAL)

The petitioner has preferred the instant petition under Section 438 Cr.P.C., for grant of pre-arrest bail in case FIR No.65 dated 24.08.2018, registered under Sections 376, 342, 344, 323, 406, 506 IPC at Police Station Women Ballabgarh, District Faridabad.

The petitioner has sought that the prosecutrix is a consenting party, she stayed with him for a long time, she knew that the petitioner is a married person and having children and now she make pressure upon him. He relied upon her statement recorded by the concerned Sub-Divisional Magistrate.

A bare persual of the record transpires that off-scene vedio material has been prepared which is in the possession of the petitioner. Recovery thereof is admonished essential. In view of matter, petitioner is

CRM-M-44408-2018 (O&M)

not entitled to bail and custodial interrogation is necessary. However, this Court has observed that the investigation is not conducted in proper manner. Therefore, the State is directed to handover the investigation to the police not below the rank of DSP.

Dismissed.

May 06, 2019
Ankur

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No