

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-3852-2020

Date of Decision: 03.02.2020

JAI BHAGWAN

...Petitioner

Versus

STATE OF HARYANA

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vijay Kumar Sheoran, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.319 dated 07.09.2019 under Sections 120-B, 376 and 506 IPC registered at Police Station Bawani Khera, District Bhiwani.

Learned counsel for the petitioner submits that the instant FIR was registered at the behest of complainant-Sunita W/o Ram Bilas. He further submits that there is no allegation against the petitioner as regards to offence of rape, if any. The only allegation against the petitioner is that the victim has gone to the house of the petitioner to inquire about milk and the petitioner sent her inside the room and bolted the door from outside, and the co-accused Chini S/o Mir Singh, who was already inside the room has committed rape upon her.

The petitioner is in custody since 08.09.2019 and there is no other case pending against him.

Learned State counsel on instruction from ASI Virender Singh does not dispute the custody period.

Heard learned counsel for the parties.

The only allegation against the petitioner is that the victim has gone to the house of the petitioner to inquire about milk and the petitioner sent her inside the room and when she entered the room he bolted the door from outside and the co-accused Chini S/o Mir Singh, who was already inside the room has committed the rape upon her. The petitioner is in custody since 08.09.2019 and conclusion of trial may take long time, thus I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be construed as any expression on the merits of the case.

03.02.2020
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No