

CRM-M-14451 of 2020

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

CRM-M-14451 of 2020

Date of Decision: 24.06.2020

Rinku @ Udaivir

...Petitioner

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present:- Mr. Vishwajeet Singh, Advocate, for the petitioner.  
Mr. Munish Sharma, AAG, Haryana.

**RAMENDRA JAIN, J. (ORAL)**

The case has been taken up for hearing through video conferencing.

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Rinku @ Udaivir – in a case arising from FIR No.613 dated 19.11.2019 registered under Sections 323, 376, 354-D, 506, 120-B, 365 IPC at Police Station City Palwal, District Palwal.

According to the prosecution, in the evening of 18.11.2019, petitioner committed rape upon prosecutrix in the presence of her husband in forest by taking her in a car.

Learned counsel *inter alia* contends that it is a consent case between the petitioner and prosecutrix. In fact, husband of the prosecutrix caught both of them red-handed and for that reason to save herself, prosecutrix got registered this false case against the petitioner. Prosecutrix in her statement under Section 164 Cr.P.C. stated that she was given beating

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by her husband with bat. But in medical examination, no injury was found on the person of the prosecutrix, which proves her complicity and consent of intercourse by the petitioner.

When the Bench was not agreeing with his submissions, learned counsel for the petitioner prayed that he may be allowed to withdraw this petition.

Dismissed as withdrawn.

**June 24, 2020**  
R.S.

**(RAMENDRA JAIN)**  
**JUDGE**

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |