

206

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

\*\*\*\*

CRM-M-15565-2020  
Date of Decision: 02.07.2020

\*\*\*\*

Ajay

..... Petitioner

Versus

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. Sandeep Saini, Advocate,  
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

\*\*\*\*

**SUDIP AHLUWALIA, J. (ORAL)**

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.09 dated 29.01.2020, under Sections 376, 506, 450 and 354-D of the Indian Penal Code, registered at Police Station Women Police Station Jind, District Jind (Annexure P-1).

[2]. Ld. Counsel for the petitioner contends, *inter alia*, that the petitioner was arrested on 03.03.2020. He further contends that in the FIR in question, no allegation has been levelled against any of the accused, including the petitioner, of having committed an offence under Section 376 of the Indian Penal Code and it was only subsequently while recording the complainant-victim's statement under Section 164 of the Code of Criminal Procedure before the Ld. Trial Court that specific attributions *qua* she having been violated, had been made.

[3]. Taking into account the above mentioned contentions, which were also raised on behalf of the co-accused Jaswant, a Co-ordinate Bench of this Court in CRM-M-11325-2020 had granted anticipatory bail to the said co-accused.

[4]. Thereafter, investigation has already been completed against all the accused persons and challan has been submitted.

[5]. Admittedly, the complainant-victim had already attained the age of majority long before lodging of the FIR, in which she did not make any allegations in the nature of commission of any offence under Section 376 of the Indian Penal Code.

[6]. For the above reasons, further detention of the petitioner for an indefinite period, at this stage, is not warranted.

[7]. In view of the above, the petitioner is ordered to be released on regular bail, subject to the appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[8]. Disposed off.

**02.07.2020**

*Apurva*

**(SUDIP AHLUWALIA)  
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No