

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

CRM-M-22364-2020 (O&M)

Date of Decision:14.08.2020

Raghuraj @ Raghu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. G.K. Mann, Advocate for the petitioner.

Mr. A.A. Pathak, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.0029, dated 16.03.2019, under Sections 376/506/201 IPC, registered at Police Station Mohkampura, District Police Commissionerate Amritsar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Pritika Sharma, who stated herself to be aged 28 years and a housewife. Complainant stated that there was a matrimonial dispute with her husband on account of which she had come back to her uncle's house. Allegations against the present petitioner are that he was a cousin of the complainant and administering certain sedative, he made physical relations with the complainant without her consent. Thereafter, on the threat of having clicked obscene photographs and of posting the same on the net, he continued to violate the complainant.

Complainant further alleges that out of her fear, she had kept quiet but ultimately disclosed the chain of event to her own brother, namely, Harish Sawant.

Petitioner was arrested on 06.062019.

During the course of arguments, it has gone uncontroverted that investigation in the case having been completed, challan was presented and charges have also been framed. The complainant/victim has been examined before the trial Court as PW1 and has not supported the prosecution version and has been declared as hostile.

In view of the above and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

14.08.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |