

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

**CRM-M No.23110 of 2020 (O&M)  
Date of Decision.05.11.2020  
(Heard through VC)**

Anil Lathar

...Petitioner

Vs

State of Haryana

...Respondent

**CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Tarun Sharma, Advocate  
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

-.-

**JAISHREE THAKUR J. (ORAL)**

This is a petition that has been filed for grant of regular to the petitioner in FIR No.108 dated 29.02.2020 under Section 346 IPC (Sections 328, 376 IPC added later on) registered at Police Station Sector 32-33, Karnal, who is in custody since 09.03.2020.

Learned counsel for the petitioner herein would contend that he has been falsely implicated in the said FIR as the prosecutrix, daughter of the complainant, had voluntarily lived in his company and they had resided together at Panipat. In fact, they planned to get married, however, before marriage could be solemnized, the prosecutrix was recovered by her parents. It is argued that the petitioner and the prosecutrix stayed at first floor in a house at Panipat, which was at a distance of half kilometers from the police post and the prosecutrix had every opportunity to contact police in case she had been abducted and subjected to offence of rape. It is further argued that in fact the prosecutrix kept silent, which would indicate that she was a consenting party.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner on the ground that prosecutrix is yet to be examined.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that the petitioner is in custody since 09.03.2020 and that the trial is likely to take some time to conclude owing to *novel corona virus* pandemic situation, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal/surety bond of Rs.1 lakh to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

**(JAISHREE THAKUR)**

**JUDGE**

**November 05, 2020**

Pankaj\*

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