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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-24510 of 2020
Date of Decision: September 01, 2020

Umardin

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sushil Jain, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 27 dated 11.01.2020 registered under Sections 323, 34, 365, 376, 506, 120-B IPC (Section 376-D IPC added later on) at Police Station City Sonipat, District Sonipat.

Learned counsel for the petitioner submits that the petitioner has been in custody since 17.02.2020. The trial is not likely to be concluded at an early date as even charges have not yet been framed. There is no other case pending against the petitioner.

A perusal of the FIR shows that there is no allegation of rape against the petitioner. The petitioner is uncle of the complainant and she has involved all her family members including her father as she ran away from home and got married with one Shehzad against whom an FIR has been got registered by her father.

Learned State counsel concedes that charges have not yet been framed. He also concedes that rape allegations have not been made against the petitioner and that he is the uncle of the complainant. Registration of FIR dated

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04.08.2019 by her father against Shehzad and his mother has also been admitted.

Thus, it is apparent that the trial is not likely to be concluded at an early date. The petitioner has been roped as an accused being uncle of the complainant and no specific allegations have been made against him in the entire FIR.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

September 01, 2020 **[SUDHIR MITTAL]**
reena **JUDGE**

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No

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