

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

212

CRM-M No.26694 of 2020

Date of Decision: September 16th, 2020

Bhupender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Suneel Ranga, Advocate
for the petitioner.

Ms. Tanisha Peshawaria, Deputy Advocate General, Haryana.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.0221 dated 19.10.2019 registered under Sections 313, 376 (2) (n), 406, 498-A, 506 IPC, wherein Section 376 (D) IPC has been added later on, at Women Police Station, Panipat.

It is the contention of learned counsel for the petitioner that the petitioner has been falsely implicated in the present case with an intention to grab money from the petitioner. In this regard, he has placed reliance upon the report of Deputy Superintendent of Police, Panipat, who had re-investigated the case and on the basis of the said re-investigation, submitted his report dated 25.05.2020, according to which the voice of the prosecutrix stands recorded, where she has acknowledged the factum that she was demanding ₹10 lakh to hush up the matter. Counsel contends that the similarly placed co-accused of the petitioner namely Vishesh has been granted the concession of bail by this Court vide order dated 01.09.2020 (Annexure P-2) in CRM-M No.21131 of 2020. Assertion has also been made that out of the ten cited prosecution witnesses, only two have been examined and eight are still to be examined, with the next date of hearing

being 10.10.2020, the likelihood of the trial concluding in near future are bleak, especially in the prevailing circumstances and, therefore, the concession of bail be granted to the petitioner.

Counsel for the State, on the other hand, asserts that there are serious allegations against the petitioner. She contends that the petitioner although is similarly placed as Vishesh, however, keeping in view the specific allegations against the petitioner, concession of bail be not granted to him.

I have considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is in custody since 24.12.2019, the trial is not likely to conclude in near future and the evidence of the prosecutrix having concluded, co-accused Vishesh, who is similarly placed as the petitioner, having been granted the concession of bail, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Panipat.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

September 16th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No