

CrI. Misc. No. M-30395 of 2020
Date of Decision: October 09, 2020

Virender Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rohit Mittal, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No. 157 dated 29.05.2020 registered under Sections 376-D, 365, 342 read with Section 34 and 506 IPC at Police Station Nangal Choudhary, District Mohendargarh.

Learned State counsel has read over statement of the prosecutrix dated 06.06.2020 recorded under Section 164 Cr.P.C. According to the said statement, when the prosecutrix met Sumer Singh at the railway station and he asked her to accompany him, there were two other persons with him. All of them travelled together in a car.

Learned counsel for the petitioner has argued that there is a delay in registration of the FIR. The prosecutrix went missing on 22.05.2020 but the FIR is dated 29.05.2020. The medical examination does not reveal any injury. Section 164 Cr.P.C. statement is contradictory to her statement recorded at the time when she was recovered by the police. The petitioner has not been named by her anywhere. Infact, she was having an affair with Sumer Singh and the petitioner has been falsely implicated.

It may have been a case of consensual relationship between Sumer Singh and the prosecutrix. However, from her Section 164 Cr.P.C. statement it is clear that two other persons were present when she was taken by Sumer Singh in the car. Thus, *prima facie*, offence under Section 365 IPC is made out against the petitioner. No ground is consequently made out to grant anticipatory bail to the petitioner.

The petition is dismissed.

October 09, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No