

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

207

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IN VIRTUAL COURT

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**CRM-M No.31609 of 2020
Date of decision : 15.10.2020**

Upender

.....Petitioner

Vs.

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 123 dated 4.10.2019, registered under Sections 363, 366, 120B, 506 and 376D IPC, at Police Station Rohrai, District Rewari.

It is submitted by the counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the allegations, the prosecutrix was found with co-accused Vikas. In fact, it was love affair between the prosecutrix and co-accused Vikas. They had stayed together for about ten days. However, subsequently, under pressure, the prosecutrix has made her statement against the petitioner and his co-accused Vikas. It is further submitted that the main co-accused Vikas has already been granted concession of bail by this Court.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana, accepts notice on behalf of the

The counsel for the State, being instructed by SI Manoj Kumar, submits that the name of the petitioner has been specifically mentioned by the prosecutrix. However, it is not disputed that the main co-accused Vikas has already been granted concession of bail. It is also not disputed that even as per the prosecutrix, the allegations against the petitioner are not more grave as compared to co-accused Vikas.

In view the above, but without commenting any further on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

15.10.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No