

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

CRM-M-34858-2020

Date of Decision:16.12.2020

Monu		Petitioner
	Vs.	
State of Haryana		Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

Mr.Surender Singh, AAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.60, dated 30.05.2020, having been registered at Police Station Bapoli, District Panipat, alleging therein the commission of offences punishable under Sections 328, 376(2)(n), 384, 506, 509 and 34 of the IPC.

Learned counsel for the petitioner submits that the petitioner is 20 years old with the prosecutrix being a 40 year old married woman with 4 children, and in fact it is the petitioner who has been exploited by her.

He also points to the clause (v) of paragraph 3 of the status report filed on behalf of the respondent State, to submit that even the photographs on the basis of which the petitioner was alleged to be blackmailing the prosecutrix, were actually recovered from the husband of the prosecutrix and not from the petitioner.

He further submits that on one of the occasions that the petitioner is alleged to have forced himself on the prosecutrix, the allegation was that her husband was away from home, though there was a complete lockdown on that date and he could not be outside of his home.

She is also stated to have refused to get herself medically examined.

Learned State counsel while opposing the bail application, however could not deny the factual position as submitted hereinabove.

Upon query he also submits that as per his instructions there is no other criminal case registered against the petitioner.

That being so, without making any comment whatsoever on the actual merits of the case and the petitioner also having in custody for 5 months, further looking at his age, the petition is allowed and the petitioner is ordered to be admitted to bail, upon him furnishing adequate bail and surety bonds to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

December 16, 2020

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO