

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

Crl. Misc. M 55222 of 2019 (O&M)
Date of decision: 5.3.2020

Rakesh Dahiya

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Parveen Kumar Rohilla, Advocate,
for the petitioner.

Ms. Trishanjali Chopra, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The petitioner herein has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 595 dated 10.8.2019, under Sections 328, 376, 506, 34 IPC registered at Police Station Model Town Panipat.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 14.8.2019, while contending that there is enough evidence available to show that the petitioner and the complainant had solemnized the marriage and the complainant had travelled with the petitioner to various places out of her free will. It is also argued that the petitioner anticipating his implication in a false case had already approached the SHO, Police Station Sector 29, Panipat with an application dated 30.7.2019, while contending that the

complainant wanted to extort ₹15 lakhs from him, which is evident from the WhatsApp messages. It is also argued that though medical evidence does not support the allegations of rape, still after investigation, challan was presented and charges have been framed. No useful purpose would be served by keeping the petitioner behind bars till the conclusion of the trial. He prays that the petitioner be admitted to regular bail.

Ms. Trishanjali Chopra, AAG, Haryana has contested the bail application while submitting that the allegations as set out in the FIR are of serious nature.

I have heard learned counsel for the parties and have also perused the documents annexed with the petition.

Without going into the merits of the case and keeping in view the fact that medical report would not support any of the allegations as set out in the FIR, the matter has been investigated, charges have been framed and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned. Needless to mention that any opinion expressed hereinabove would not be construed as an opinion on merit.

5.3.2020

prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No