

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

CRM-M No.10757 of 2021 (O&M)

Date of Decision:26.07.2021

(Heard through VC)

Satbir Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.26 dated 30.01.2021 registered under Sections 376, 506 IPC at Police Station Sector 5, Gurugram, District Gurugram.

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the said FIR. It is argued that the instant FIR is a counter blast to the complaints made by the petitioner against the complainant and her accomplices. Even the FIR has been registered after a period of six months from the date of alleged incident. The complainant herein is a married woman and therefore, allegations of rape are not maintainable. There is huge age gap between the petitioner, who is aged 73 years and the complainant, who is aged 25 years, therefore, the allegation that the petitioner raped the complainant on the pretext of marriage does not hold good. The trial is likely to take some time to conclude as only five official witnesses have been examined, therefore,

prays for concession of bail to the petitioner.

Learned counsel for the respondent-State opposes grant of bail to the petitioner by contending that the allegations levelled against him are serious in nature, however, he does not dispute the fact that the investigation has been completed and the challan stands presented.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation has been completed and the challan stands presented and the fact that the trial is likely to take some time to conclude owing to present COVID-19 pandemic situation, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

July 26, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No