

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

225

**CRM-M-32023-2021 (O&M)
Decided on : 16.08.2021**

RANJEET ALIAS ANJU

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Sunil Kumar Tandon, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG Haryana
assisted by ASI Amardeep.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.139, dated 06.10.2020 under Sections 376, 506, 34 of the IPC (Section 376-D added later on in place on Section 376 IPC) registered at Police Station Women, District Yamuna Nagar.

Learned counsel submits that false implication of the petitioner is evident from the fact that only role attributed to the petitioner in the alleged crime was that while co-accused Parveen was sexually molesting the prosecutrix, he along with another person was making a video of the act. Learned counsel further submits that no such documentary evidence, much less, any video had been collected by the investigating agency during investigation. It has been submitted that there was some animosity between the parties and a few years back, the complainant had registered a false FIR against one of the co-accused, who had since been acquitted during trial and it was in this background the prosecutrix filed the instant case against the petitioner and

co-accused by levelling false allegations. It has been further submitted that the petitioner has been in custody since 04th April 2021 and there is no likelihood of the trial concluding any time in the near future hence he may be extended the concession of bail.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner on instructions from ASI Amardeep has fairly conceded that the investigating agency had not been able to gather any documentary evidence including the alleged video of the act of rape during investigation. She submits that the petitioner has not been attributed any sexual assault and the only role attributed to him is that he stood guard outside the fields when the alleged crime was committed. She further submits that 02 out of 16 prosecution witnesses stand examined.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case to extend the concession of bail to the petitioner, as the trial is unlikely to conclude in the near future. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 16, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>