

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

CRM-M-33003-2021 (O&M)

Date of Decision : 11.10.2021

Joginder Singh

...Petitioner

versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Mohinder Kumar, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

AVNEESH JHINGAN, JUDGE (ORAL)

This is a petition seeking regular bail under Section 439 Cr.P.C. in case FIR No.0104 dated 28.03.2021 under Sections 147, 149, 323, 355, 376, 511, 379-A, 427 of IPC, registered at Police Station Narwana Sadar, District Jind, Haryana.

The FIR is at the instance of Nisha Parihar. The allegations are that on 27.03.2021 when she along with her colleague were going to Kurukshetra on a car, eight to ten persons under the influence of liquor taunted her and tried to molest her.

Learned counsel for the petitioner submits that it is a case of false implications. The complainant had earlier made similar allegations against other accused and got FIR registered, ultimately money was demanded for compromising the matter and FIR was registered against her. He submits that there is no medical evidence to make out a case of under Section 376 IPC. He relies upon the fact that the co-accused was granted bail by this court on 29.07.2021.

Learned State counsel opposes the grant of regular bail, she is not in a position to dispute the fact that investigation is complete, challan stands presented and that the co-accused has been granted bail by this Court.

Having heard the learned counsel for the parties at some length.

Keeping in view the fact that there is no medical record to substantiate the allegation under Section 376 IPC. On instructions, it is fairly submitted by the counsel for the State that there is no identification of the petitioner by the complainant till date. Investigation is complete and that conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

11th October 2021

Manju

**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No