

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

CRM-M No.39389 of 2021

Date of Decision:27.09.2021

(Heard through VC)

Manga Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jasinder Singh Thind, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.36 dated 30.04.2021 under Section 376, 511, 323 IPC (Section 325 IPC added later on) registered at Police Station Khui Khera, District Fazilka.

Counsel for the petitioner would contend false implication in the said matter. In fact, it is the complainant who came into the house of the petitioner herein to complain to the mother of the petitioner regarding an incident wherein petitioner had struck his bicycle with that of the complainant. This incident took place because the complainant herself was coming on the wrong side of the road in night. It is argued that all allegations of an attempt to rape are fabricated so as to enhance the grievousness of the incident complained of. It is contended that the petitioner's mother was also present there as noticed in the FIR. It is submitted that MLR would only reflect abrasions, which would coincide with the complainant having fallen down

from her cycle. It is further submitted that the matter has been investigated and challan stands presented and the trial is likely to take some time to conclude, therefore, prays for concession of bail to the petitioner.

Learned counsel for the respondent-State would oppose grant of regular bail to the petitioner by contending that allegations levelled against the petitioner are serious in nature, however, she does not dispute the fact that the matter has been investigated and challan stands presented.

I have heard counsel for the parties and in view of the fact that the matter stands investigated and challan has been presented and the fact that trial is likely to take some time to conclude, this Court deems it appropriate to allow regular bail to the petitioner. 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.

September 27, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No