

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CRM-M-38783 of 2020
Date of Decision: 06.01.2021

Anil @ Chhindi

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jitender Dhanda, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Ms. Suman Sagar, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard by video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.167, dated 05.05.2020, having been registered at Police Station Adampur, District Hisar, alleging therein the commission of offences punishable under Sections 323, 328, 452, 354, 376(2)(n) and 376-D of the IPC read with Section 34 thereof.

Learned counsel for the petitioner submits that the very fact that the petitioner is 19 years old, with the prosecutrix being 35, and them belonging to the same family, the allegation of rape is only on account of other disputes in the family and in fact the matter has now been settled between the parties.

Learned counsel appearing for the complainant also does not refute the fact that the matter has been 'settled' between the parties.

Though the allegation obviously is very serious, however, keeping in view the contentions raised before this court and the petitioner also having been in custody for about 9 months now, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court/CJM/Duty Magistrate concerned.

January 06, 2021
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No