

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

CRM-M-45094-2022

Date of decision: 18.11.2022

Avinash Rajput

....Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Punit Malik, Advocate for the petitioner.

Mr. J.S.Pannu, AAG, Haryana.

ANIL KSHETARPAL, J (Oral)

This is the petitioner's second attempt to get bail pending trial in a criminal case arising from FIR no.242 dated 31.10.2021 registered under Sections 323, 328, 365, 376, 392, 419, 420, 506, 201, 120-B, 34 IPC at Police Station Udhyog Vihar, Gurugram.

The first petition for the grant of bail was withdrawn by the learned counsel representing the petitioner on 09.06.2022.

As per the case of the prosecution, the victim/first informant met another girl at a matrimonial website and the victim on being lured by that girl to come out of her office to meet her, sat in her car. It is alleged that the aforesaid girl, despite the refusal of the victim, forcibly made her drink a glass of beer, which intoxicated the victim. Subsequently, the victim's mobile, ATM card, PAN card and other documents were snatched and she was detained in a room from 29.10.2021 till the evening of 30.10.2021. During that period, the petitioner made physical relations with the victim. It is also alleged that another woman, who is also the Human Resources Head of the Company in which the victim is working, came in the room,

threatened her and demanded money. She was dropped near the petrol pump on the next evening.

The victim, while appearing as the prosecution witness, did not support the case of the prosecution. The petitioner has already suffered incarceration for a period of 7 months and 22 days.

Learned State counsel has informed the Court that out of total 26 prosecution witnesses, proposed to be examined, deposition of only 4 has been recorded including that of the victim. The petitioner, as per the custody certificate, except a court complaint no. 1185 of 2022, does not have any other criminal antecedents.

Without commenting on the merits of the case and keeping in view the aforesaid facts, it is considered appropriate to release the petitioner on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

The petition stands allowed.

All the pending miscellaneous applications, if any, are also disposed of.

18.11.2022
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No