



CRA-S-1860-2024 (O&M)

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

205

CRA-S-1860-2024 (O&M)

Date of Decision:20.03.2025

Inderjeet @ Inder

... Appellant

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Gagandeep Kaur, Advocate
for the appellant.

Ms. Priyanka Sadar, AAG, Haryana.

NAMIT KUMAR, J. (ORAL)**CRM No.10986 of 2025**

Application is allowed as prayed for.

Annexure A-1 is taken on record subject to all just exceptions.

CRA-S No.1860-2024

1. The present appeal has been preferred by the appellant against the impugned order dated 03.11.2023 passed by the learned Additional Sessions Judge, Jhajjar whereby the bail application of the appellant in FIR No.31 dated 30.03.2023 registered under Sections 376, 506 IPC and Section 3(2)(v), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been dismissed.

2. In brief, the prosecution version is that the appellant had called the prosecutrix/complainant on her mobile number 8750328845 to his house at village Chandaul on the pretext of arranging a job for her where he forcibly committed rape upon her and when she objected to the said act, he threatened



to kill her. Thereafter, he gave Rs.50/- to her and told her to go home and if she disclosed anything to anyone then he will kill her and her husband.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he has not committed the alleged offence. The appellant and the prosecutrix are aged, matured and married persons and they were in a consensual relationship. It is further submitted that there are material contradictions in the statement of the prosecutrix, as in the FIR, she has stated that she was called by the appellant at his house in village Chandaul; whereas in her statement recorded before the learned trial Court, it has been stated that she was called in a restaurant. Learned counsel for the appellant has also referred to various chats exchanged between the appellant and the prosecutrix, which clearly show that everything was consensual between them. She further submits that the appellant is in custody for the last about 1 year and 9 months and the investigation is complete, challan has been presented and charges have been framed. Out of total 22 prosecution witnesses, 3 have been examined including the prosecutrix. The trial is likely to take some time to conclude and therefore, prays for granting concession of bail to the appellant.

4. Per contra, learned State counsel, while placing on record custody certificate has opposed the prayer for grant of regular bail to the petitioner. However, she could not dispute that the petitioner is in custody for the last about 1 year and 9 months; investigation in the present case is complete; challan has been presented; charges have been framed; the case before the trial Court is at the stage of recording the prosecution evidence, trial may take a considerable time to conclude and he is not involved in any other case.



5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the fact that statement of the complainant/prosecutrix has been recorded and therefore, there is remote chance that the appellant would be in a position to threaten or influence the prosecutrix; custody of the petitioner, which is 1 year 08 months and 29 days; investigation is complete; challan has been presented; charges have been framed and the case before the trial Court is at the stage of recording the prosecution evidence; petitioner is not involved in any other case and trial is likely to take a considerable time, however, without commenting upon the merits of the case, the petitioner is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

7. The petition stands disposed of accordingly.

(NAMIT KUMAR)
JUDGE

March 20, 2025

Pankaj*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No