

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

CRM-M-171-2015 (O&M)
Date of decision : 12.01.2015

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sumit Gupta, Advocate for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.
assisted by ASI Ramesh Kumar.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.110 dated 04.09.2014, registered under Sections 328, 34 of the Indian Penal Code, registered at Police Station Line Par, Bahadurgarh, District Jhajjar.

The learned counsel for the petitioner contends that the allegation against the petitioner is of forcibly administering poison to the complainant/wife, however, there is no medical evidence in this regard. The occurrence took place on 31.08.2014. The complainant was removed to the hospital by the petitioner and all the expenses of her treatment were borne by him. She was declared fit to make statement on 02.09.2014. However, the complainant stated that she

will make the statement only after consulting with her parents. Subsequently, on 04.09.2014, a written complaint was made before the police. The petitioner is in custody since 18.09.2014.

On the other hand, the learned State counsel, on instructions, submits that in case the petitioner is allowed bail, he is likely to influence the course of the trial. She further informs that the challan stands already presented, however, the charges are yet to be framed.

Heard.

Keeping in view the fact that no FSL report is collected by the prosecution, the petitioner is in custody since 18.09.2014, the challan has already been presented but the charges are yet to be framed, thus, the trial is not likely to be concluded in the near future and without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety, to the satisfaction of the trial Court.

12.01.2015

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(JITENDRA CHAUHAN)
JUDGE