

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

CRM M-36095 of 2015

Date of decision : 30.11.2015

Pawan

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.C. Shahpuri, Advocate for the petitioner.

Dr. Sushil Gautam, DAG Haryana.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 67 dated 20.12.2014 under Sections 376/120-B/34 IPC at Police Station Women Sonapat.

Learned counsel for the petitioner contends that prosecutrix has already deposed before the trial court. According to counsel, there is element of consent in the entire episode.

Prayer has been opposed by learned State counsel. According to him, allegations against the petitioner are serious. Out of nineteen witnesses cited by the prosecution, six have been examined.

I have heard learned counsel for the parties.

Keeping in view aforesaid contentions, period of incarceration and the fact that trial may still take some time to conclude, I am of the considered view that no useful purpose would be served by detaining the petitioner in custody any longer. Without

expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Sonapat.

November 30, 2015

Ajay

(RAJAN GUPTA)
JUDGE