

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

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**Criminal Misc. No.M-13148 of 2016
Date of decision: 25th April, 2016**

Surinder Kumar

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Lalit K. Gupta, Advocate for the petitioner.

Mr. Sanjay Kumar Saini, AAG, Haryana.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.98 dated 09.06.2015 registered under Sections 376(2)L/452/506 of the Indian Penal Code at Police Station Sadar Ambala, District Ambala.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and there is an un-explained delay of forty days in lodging of the FIR as the incident occurred on 30.04.2015 and the FIR was registered on 09.06.2015. The petitioner is 56 years of age and is in custody since 10.06.2015. Nothing is to be recovered from the petitioner and the trial may take long time to

conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Learned State counsel submits that out of total eighteen prosecution witnesses, seventeen have already been examined and the date fixed before the trial Court is 04.05.2016 for recording of statement of one remaining prosecution witness.

Keeping in view the stage of the trial, no ground is made out to grant regular bail to the petitioner. The present petition is, therefore, dismissed.

However, the trial Court is directed to make all possible efforts to conclude the trial expeditiously.

April 25, 2016

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**(DAYA CHAUDHARY)
JUDGE**