

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-1467 of 2016 (O&M)

Date of decision : 18.03.2016

Karambir @ Dhannu

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. K.D.S. Hooda, Advocate for the petitioner

Ms. Mahima Yashapl, AAG Haryana

ANITA CHAUDHRY, J. (ORAL)

Crl. Misc. No. 8720 of 2016

Application is allowed and statement of Lala recorded under Section 164 Cr.P.C. as Annexure P-3 is taken on record.

Crl. Misc. No. M-1467 of 2016

The petitioner is seeking regular bail in FIR No. 782 dated 25.10.2014 registered at Police Station Sadar Bhiwani, District Bhiwani under Sections 376(D), 323, 506 IPC.

Learned counsel for the petitioner contends that the petitioner is in custody since October 2014 and charge had been framed in December 2014 and the complainant/prosecutrix has not been produced and she is resident of Bangladesh and the case has been adjourned more than ten times and the prosecution has not been able to procure her presence.

It has been stated on behalf of the State that efforts were being made to procure her presence by approaching the Ministry of External Affairs.

The trial Court had ordered the service of prosecutrix through DGP Harayna in July 2015.

Even after 7 months her presence has not been procured. The

petitioner is stated to be a permanent resident of Bhiwani. The petitioner

was not named in the statement made under Section 164 Cr.P.C.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

March 18, 2016

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**(ANITA CHAUDHRY)
JUDGE**