

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

**CRM-M-22225-2016 (O&M)**

**Date of decision: 7.12.2016**

**Sunil**

**.....Petitioner.**

**Versus**

**State of Haryana**

**.....Respondent.**

**CORAM: - HON'BLE MS. JUSTICE RITU BAHRI.**

Present: - Ms. Meenakshi Kalra, Advocate for petitioner.

Ms. Mahima Yashpal, AAG, Haryana

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**Ritu Bahri, J.**

This petition has been filed under Section 439 Cr. P.C. for granting regular bail to the petitioner in FIR No. 20 dated 20.2.2016 under Sections 376, 313 and 506 IPC registered at Women Police Station Faridabad, Haryana.

Learned counsel for petitioner submits that petitioner is in custody since, 7.5.2016.

Complainant is a lady aged 30 years, was working as maid servant in the house of petitioner. Petitioner used to commit immoral acts with her forcefully and under threat. It is further submitted that complainant got pregnant due to such immoral acts and which resulted in miscarriage.

Learned State counsel submits that after the registration of FIR challan had been presented and charges were framed. Three witnesses stand recorded. She further informed that prosecutrix is not putting in an appearance and bailable warrants have been issued on 19.10.2016. Again on 5.12.2016 she did not appear before the Court.

On the other hand, learned counsel for petitioner had informed the Court on the last date of hearing that prosecutrix has visited jail premises number of times to assist the petitioner. This fact has also been verified from ASI, Savita. Prosecutrix has visited the jail on 14.5.2016, 18.5.2016 and on 18.6.2016 showing her to be the sister of the petitioner.

Keeping in view the fact that prosecutrix is not appearing for recording her statement and also considering the fact that trial would take long time for its own conclusion, petitioner be released on regular bail subject to the satisfaction of Duty Magistrate/Illaqa Magistrate, Faridabad, Haryana.

Disposed of accordingly.

7.12.2016  
preeti

**(RITU BAHRI)**  
**JUDGE**