

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

Crl. Misc. No. M-27004 of 2016

Date of decision : 11.08.2016

Kuldeep

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sanjay Vashisht, Advocate,
for the petitioner

Ms. Mahima Yashpal, A.A.G, Haryana

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 182 dated 07.06.2016, registered at Police Station Tosham, District Bhiwani, who has been booked for having committed the offence punishable under Sections 354-B/323/506/34 IPC and Section 3 of S.C. and S.T Act).

As per the statement of the Mukesh under Section 164 Cr.P.C, none of the accused had uttered a single word in the name of caste or abuses. Similarly, in the statement of Poonam under Section 164 Cr.P.C, only the words in the name of caste has been spoken.

Learned State counsel on instructions has informed that the petitioner was not known to the complainant. Further after presentation of the challan, the trial is fixed for framing of charges. There are total 09 witnesses which are to be examined. Petitioner is in custody since

09.06.2016.

So, it is not believable that the petitioner who is not known to the complainant has outraged the modesty of two ladies mentioned above by hurling abusive work under the name of their castes. This question will be decided at final stage whether the petitioner had uttered these words or not.

Keeping in view the period of incarceration of the petitioner, this Court feels that there is no need to detain the petitioner any longer.

Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to her furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Bhiwani.

11.08.2016
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>