

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31707-2016

Date of Decision:- 28.09.2016

Surender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vijay Pal, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, 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.301 dated 23.04.2016, registered at Police Station City Hansi, who has been booked for having committed the offence punishable under Sections 376, 452, 34 IPC and Section 3 of the SC/ST Act.

Learned State counsel, on instructions from investigation officer, has informed that after verification it has been found that an affidavit (Annexure P-6) has been given by the prosecutrix-Manisha to the effect that this case was got registered by her on account of beating given by Ramesh, Shamsher and Neelam and the present petitioner has not committed anything wrong with her nor her mother-in-law had any

Learned State counsel further informed that the persons from the panchayat have also supported the version of the prosecutrix as stated in her affidavit (Annexure P-6). Moreover, the prosecutrix-Manisha is facing a trial in a criminal case registered vide FIR No.321 dated 04.05.2016, under Sections 384, 420, 120-B and 34 IPC, at Police Station Hansi City, Hisar by brother of the present petitioner with the allegations of cheating and levelling of false allegations of rape.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 01.06.2016. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Hisar.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

September 28, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No