

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

Crl. Misc.M-39584 of 2016 (O&M)
Date of Decision: 23.12.2016

Nitesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.S. Sangwan, Advocate
for the petitioner.

Mr. S.K. Saini, AAG Haryana

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.363 dated 12.08.2016, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Sushant Lok, Gurgaon, District Gurgaon.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 12.08.2016. It is also contended that no further investigation is required in the matter, since the challan has already been presented. It is contended that main allegations have been levelled against accused Dinesh, who was residing in the same house on the ground floor, in which the prosecutrix was residing and as per

the statement of the prosecutrix, it is accused Dinesh, who enticed her to sit in the car on the pretext of performing marriage with her, therefore, petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Rakesh., opposes the bail application, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that no recovery is to be effected from the petitioner, he is not required for any further investigation, main allegations have been levelled against co accused Dinesh in the statement made by the prosecutrix and no useful purpose would be served in keeping the petitioner behind the custody, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

December 23, 2016

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No