

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

**CRM-M No. 44579 of 2016
Date of Decision: 19.12.2016**

Dhara alias Satender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sushil Jain, Advocate
for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

Petitioner Dhara alias Satender has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 15 dated 30.01.2016, registered under Sections 376 and 506 of the IPC at Police Station Baroda, District Sonapat.

Counsel for the petitioner contends that petitioner has been in custody since 01.02.2016. He also submits that charges in this case have been framed and the prosecution has recorded the evidence of the prosecutrix as well as the doctor and a reading of which would show that the offence under the said FIR is not sustainable. It is also contended that out of total 15 witnesses, 13 witnesses have been examined and the petitioner is not likely to influence the prosecutrix at this stage.

Mr. Sharad Kumar Yadav, DAG, Haryana, has appeared on behalf of respondent-State and contested the bail application.

In view of the fact that statements of most of the witnesses have

since been recorded and the petitioner is in custody since 01.02.2016 and further that the trial is likely to take some time, no useful purpose would be served by keeping the petitioner in custody furthermore.

Therefore, keeping in view the facts and circumstances of the present case and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/learned trial Court concerned.

Petition stands disposed of.

December 19, 2016

Ansari

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

No