

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

Crl. Misc. M-16349 of 2017 (O&M)
Date of Decision: August 16, 2017

Sandeep @ Kale

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. D.S. Bali, Senior Advocate with
Mr. Rahul Sharma, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, 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.38 dated 27.02.2017, under Sections 376, 506 of Indian Penal Code, registered at Police Station Bahdra, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 03.03.2017. It is argued that the petitioner has been falsely implicated in the present case. It is submitted that nothing is to be recovered from the petitioner. It is also contended that statement of the prosecutrix has been recorded, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the bail

application, while submitting that statement of the prosecutrix has been recorded.

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 and that statement of the prosecutrix has been recorded, no useful purpose would be served in keeping the petitioner behind the custody. Therefore, at this stage, without commenting on the merits of the case, 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.

August 16, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No