

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

**CRM-M-24528-2017
Date of decision: 15.09.2017**

Mandeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Harish Nain, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Ms. Bhavna Grewal, Advocate for
Mr. S. K. Yadav, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 11 dated 22.03.2017, under Sections 313, 376, 506 of the IPC and Section 3 of SC/ST Act, registered at Women Police Station, Narnaul.

Counsel for the petitioner draws attention to Annexure P-1, which is a judgment passed by learned Additional Sessions Judge, Narnaul in *State vs. Mahender*, where on the statements of the prosecutrix therein, in an FIR under Sections 323, 363, 366, 376, 313, 201, 506 of the IPC and Section 3 of SC/ST Act, came to be dismissed while disbelieving the version as set out by the prosecutrix. It is argued that the same prosecutrix has also levelled several allegations against the petitioner and invoked similar sections and the version of the prosecutrix cannot be relied upon while further submitting that the statement of the prosecutrix has already

been recorded.

Ms. Gaganpreet Kaur, AAG, Haryana, has appeared on behalf of respondent-State and opposes the grant of bail to the petitioner, however, she is not able to dispute the fact that the statement of the prosecutrix has been recorded and the petitioner is in custody since 11.04.2017. She also submits that statement of only one witness, i.e. the prosecutrix, has been recorded out of total 20 witnesses.

I have heard learned counsel for the parties.

Without going into the merits of the case and keeping in view the fact that the petitioner is in custody since 11.04.2017 and the trial is likely to take some time to conclude since only the statement of the prosecutrix has been recorded out of total 21 witnesses, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

15.09.2017

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No