

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

Crl. Misc. M-25678 of 2017 (O&M)
Date of Decision: July 25, 2017

Ajay alias Gullu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sumit Gupta, Advocate
for the petitioner.

Mr. Siddharth Sanwaria, DAG 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.472 dated 21.10.2016, under Sections 365, 376 of Indian Penal Code, registered at Police Station Gannaur, District Sonapat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 26.10.2016. It is submitted that material witnesses have been examined and only 08 witnesses are left to be examined. It is also contended that both, the mother of the prosecutrix i.e. complainant and prosecutrix have resiled from their statement, 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 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 and that both, the mother of the prosecutrix i.e. complainant and prosecutrix have resiled from their statement, 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, 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.

July 25, 2017

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No