

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

CRM -M-25842 of 2017 (O&M)

Date of decision: 29.08.2017

Harvinder Singh @ Bittu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rajiv Joshi, Advocate for the petitioner.

Mr. A.S. Gill, Sr. DAG, Punjab
assisted by ASI Amarjit Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 85 dated 30.06.2016, registered under Sections 376-D and 506 of IPC, at Police Station Division No.4, Jalandhar City.

It is contended that co-accused Birbal @ Bhola stands acquitted by the trial Court, whereas main accused Robin and co-accused Rahul have been admitted to bail by the trial Court, vide order dated 10.03.2017 (Annexure P-2) as the prosecutrix did not support the prosecution version. The State had filed a discharge application, however, the same was not accepted by the competent Court.

On the other hand, the learned State counsel opposes the bail application, however, he admits the above factual aspect of the matter.

Heard.

Considering the fact that main accused Robin and co-accused Rahul have been enlarged on bail as the prosecutrix has not supported the case of the prosecution; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

29.08.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No