

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

Crl. Misc. M-33577 of 2017 (O&M)
Date of Decision: November 17, 2017

Ashok

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. P.P. Chahar, 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.125 dated 17.06.2017, under Sections 323, 506, 376, 452 of Indian Penal Code, registered at Police Station Ateli, District Mahendergarh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 05.07.2017. It is argued that the petitioner is falsely implicated in the present case. It is submitted that in the initial statement that has been recorded by the complainant/victim under Section 164 Cr.P.C., she had raised specific allegations against her two nephews and it is only in the subsequent supplementary statement recorded on 01.07.2017 i.e. after almost a period

of 02 weeks that the name of the petitioner had surfaced. It is also contended that statement of the complainant/victim 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 Investigating Officer, opposes the grant of regular bail, while submitting that statement of the complainant/victim 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 fact that statement of the complainant/victim has already been recorded, no useful purpose would be served in keeping the petitioner behind bars. 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.

November 17, 2017

vijay saini

(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No