

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

**CRM-M-39667-2017
Date of decision: 07.12.2017**

Sumit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. P. P. Chahar, DAG, Haryana.

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. 164 dated 19.05.2016, under Sections 376(g), 365 and 306 of the IPC, registered at Police Station Jind Sadar, Jind.

Counsel for the petitioner contends that a reading of the FIR would not reveal allegations of rape as against the petitioner herein and the person involved would be one Gulab. It is further contended that the petitioner herein is in custody since 20.05.2016 while submitting that the statements of the material witnesses have been recorded.

Mr. P. P. Chahar, DAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail to the petitioner while informing this Court that out of total 21 witnesses, 03 have been examined so far.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 20.05.2016 and the trial

is likely to take some time as 18 witnesses are yet to be examined, this Court feels that no useful purpose would be served in keeping the petitioner in custody furthermore. Hence, 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.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

07.12.2017
Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No