

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

CRM -M-40686 of 2017 (O&M)

Date of decision: 03.11.2017

Kuldeep @ Jaila

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Navmohit Singh, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

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**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. 341 dated 23.08.2017, registered under Sections 363 and 366A of IPC, at Police Station Butana, District Karnal.

It is contended that the petitioner and prosecutrix were closely known to each other. Learned counsel refers to the statement of prosecutrix recorded under Section 164 Cr.P.C., (Annexure P-2) whereby she has stated that she went along the petitioner out of her own free will. Therefore, false implication has been pleaded. The petitioner is in custody since 27.08.2017.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Considering the version of (Annexure P-2) and the fact that the challan stands presented, however, the charges are yet to be framed, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, 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.

03.11.2017

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(JITENDRA CHAUHAN)  
JUDGE

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