

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

**CRM-M-46173-2017
Date of decision: 08.12.2017**

Gurtej Singh @ Hanny

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Aditi Sheoran, Advocate
for the petitioner.

Mr. A. S. Dhaliwal, DAG, Punjab
assisted by ASI Sikander Singh.

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. 207 dated 23.09.2017, under Sections 363, 366-A and 376 of the IPC, registered at Police Station City Kharar, District S. A. S. Nagar.

Counsel for the petitioner contends that the petitioner has been implicated falsely in this case. It is argued that the prosecutrix in her statement under Section 164 Cr.P.C. has not supported the prosecution version. Counsel for the petitioner submits that the petitioner is in custody since 23.09.2017 and he should be enlarged on regular bail as the trial of the case is likely to take some time.

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 in general, however, is not able to dispute the fact that the prosecutrix has not supported the prosecution version.

I have heard learned counsel for the parties.

Since the prosecutrix has not supported the prosecution version and the petitioner is in custody since 23.09.2017, no useful purpose would be served in keeping the petitioner in custody furthermore since the trial is likely to take some time. 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.

08.12.2017
Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No