

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

222

CRM-M-4853-2017

Date of Decision: 10.10.2017

JONY

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. N.S. Panwar, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed for grant of regular bail to the petitioner in case FIR no. 474 dated 15.09.2016, under Sections 376, 452, 506 of IPC and 4 POSCO Act, registered at Police Station Sadar, Bahadurgarh.

Counsel for the petitioner would submit that the petitioner has been in custody since 16.09.2016 and that investigation is complete. Since the challan has been put up and charges have been framed. It is also argued that the matter is unnecessarily protracted by the prosecutrix who has not come forward on three occasions to have her statement recorded and on this ground, he would be entitled for grant of regular bail. Learned counsel for the petitioner has also relied upon the MLR which shows that there were no external injuries found upon her body.

Counsel opposite vehemently opposes the grant of regular bail by submitting that petitioner herein has been charged for the heinous offence of Section 376 IPC and under Section 4 of the POSCO Act.

I have heard learned counsel for the parties.

Since, the petitioner has been in custody since 16.09.2016 and 17 witnesses that has to be examined and as of date no witness has been examined and in view of the fact that the prosecutrix despite being summoned has not turned up to get her statement recorded and the trial is likely to take some time to conclude, without commenting upon the merits of the case, 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.

(JAISHREE THAKUR)
JUDGE

October 10, 2017
jyoti3

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No