

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

Crl. Misc.M-13269-2018 (O&M)
Date of Decision: July 24, 2018

Om Parkash alias Billu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sagar Aggarwal, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, 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.247 dated 30.10.2017, under Sections 376, 506 of Indian Penal Code, registered at Police Station Sadar Panipat, District Panipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 21.11.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the statement of the prosecutrix has been recorded, in which she has not supported the version of the prosecution and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Krishan Lal, oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature ,however, she does not dispute the fact that the statement of the prosecutrix has been recorded and the prosecution version has not been supported by the prosecutrix.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 21.11.2017 and that the statement of the prosecutrix has 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.

July 24, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No