IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 22419 of 2018
Date of Decision:-12.09.2018

Devinder Singh Yadav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gaurav Singla, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Pankaj Kaushik, Advocate
for the complainant.

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.138 dated 17.10.2017, under Sections 376, 450 and 506 IPC, registered at Police Station Women Police Station, Sector 16, Faridabad.

Counsel for the petitioner herein contends that after several opportunities having been given to the complainant, her statement has been recorded on 14.8.2018 and the reading of the said statement reveals several discrepancies therein. It is contended that the petitioner is in custody since 17.10.2017 and the material witness has been examined. It is also

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contended that the trial will take some time to conclude as only 04 witnesses out of total 21 witnesses have been examined.

Per contra, learned counsel for the respondents oppose the bail application, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Prima facie this Court is of the view that since the material witness i.e. the prosecutrix has been examined and trial is likely to take some time and in view of the facts that only 04 prosecution witnesses out of total 21 witnesses have been examined so far. No useful purpose would be served in keeping the petitioner behind the custody, 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.

September 12, 2018 **(JAISHREE THAKUR)**
Vijay Asija **JUDGE**

Whether speaking/reasoned Yes / No
Whether Reportable Yes / No

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