

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

Crl. Misc.M- 27159-2018 (O&M)

Date of Decision: August 01, 2018

Gurdeep @Gurjeet

Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Lajpat Sharma, 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. 53 dated 18.09.2017, under Sections 365, 376-D and 506 of Indian Penal Code, registered at Police Station Women, Kaithal, District Kaithal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 04.10.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that statement of the prosecutrix has been recorded, in which the prosecutrix has turned hostile and not supported the version as set up by 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 the Investigating Officer oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious and heinous in nature ,however, she does not dispute the fact that the material witness has been examined and the prosecutrix have turned hostile.

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 04.10.2017 and that statement of the prosecutrix has been recorded, in which she has not supported the version as set up by the prosecution, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without expressing any opinion 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.

August 01, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No