

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

Crl. Misc. M- 30418-2018 (O&M)
Date of Decision: August 14, 2018

Puran Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Akshit Aggarwal, Advocate for
Mr. Sherry K. Singla, 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. 46 dated 12.04.2018, under Sections 302, 304-B, 34 of Indian Penal Code, registered at Police Station Radaur, District Yamunanagar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 14.04.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that statement of the material witness i.e. the prosecutrix has been recorded, in which she has not supported the version of the prosecution and that the 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, opposes 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 material witness i.e. the prosecutrix has been recorded.

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 14.04.2018 and that the statement of the material witness i.e. statement of the material witness i.e. the prosecutrix has been recorded, in which she has not supported the version of 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 14, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No