

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

Crl. Misc. M-31116 of 2018 (O&M)
Date of Decision: July 30, 2018

Raj Kumar Sharma @ Raju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Himmat Singh Deol, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG 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.34 dated 20.04.2018, under Sections 363, 366, 376 of Indian Penal Code, registered at Police Station WPS Rewari, District Rewari.

Learned counsel for the petitioner would contend that the petitioner herein was taken into custody in the aforesaid FIR on 21.04.2018. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that there was admittedly a relationship between the parties, which was consensual. In fact, the prosecutrix was major at that time. It is also contended that investigation is complete in the matter, as the challan has been presented, as such, his further custody is not required. It is

also submitted that 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 the respondent-State, on instructions from the Investigating Officer opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. However, does not dispute the fact that challan has already been presented.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 21.04.2018 and that his further custody is not required, as the investigation is complete in the matter and challan has been presented, 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 30, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No