

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

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**Crl. Misc.M-3131 of 2018
Date of Decision: 03.08.2018**

Sher Singh@ Sheru

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr.Ankit Gautam, Advocate for
Mr.Abhimanyu Singh, 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.48 dated 30.06.2017, under Sections 341,342,354-A(1), 354(D)(1)(ii), 363,366,376 (2)(n), 385,506,34 of Indian Penal Code and Sections 25-54-59 of Arms Act, registered at Police Station Women Police, Bhiwani, District Bhiwani.

Learned counsel for the petitioner alleges that the incident is dated 07.11.2016 and the FIR has been registered after a lapse of 7 months. It is also argued that the petitioner herein is in custody in the aforesaid FIR since 02.07.2017 and the statement of the prosecutrix has since been recorded. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that out of total 28 witnesses only 15 witnesses have been examined 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, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature. However, she does not dispute the fact that out of total 28 witnesses only 15 witnesses have been examined.

I have heard learned counsel for the parties and perused the record.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 02.07.2017 that out of total 28 witnesses 15 witnesses have been examined, 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.

(JAISHREE THAKUR)
JUDGE

03.08.2018
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Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No