

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

Crl. Misc.M- 41527-2018 (O&M)

Date of Decision: September 25, 2018

Manish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B.S. Saroha, 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. 123 dated 28.02.2018, under Sections 363, 366-A of Indian Penal Code, registered at Police Station Samalkha, District Panipat, Haryana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 05.03.2018 and that the statement of the prosecutrix recorded under Section 164 Cr.P.C. would clearly reflect that she was in love with the petitioner and wanted to marry him while further stating that she had left her home voluntarily to marry him. It is submitted that the petitioner has been falsely implicated in the present. It is also contended that statement of the prosecutrix has been

recorded 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 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 05.03.2018 and that the investigation is complete and the charges have been framed, 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.

September 25, 2018

seema

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No