

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

Crl. Misc. M-4353 of 2018 (O&M)
Date of Decision: February 08, 2018

Balwan @ Bobby

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jayoti Parshad Sharma, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.263 dated 23.07.2017, under Section 376 of Indian Penal Code, registered at Police Station Pundri, District Kaithal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 31.07.2017. It is submitted that the petitioner is falsely implicated in the present case. It is also contended that out of total 16 witnesses, 05 witnesses have been examined, including the prosecutrix and conclusion of trial is likely to 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, however, does not dispute the fact that out of total 16 witnesses, 05 witnesses have been examined, including the prosecutrix.

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 31.07.2017 and that statement of the prosecutrix has already been recorded, 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.

February 08, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No