

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

CRM-M-43748-2017 (O&M)
Date of Decision: August 09, 2018

Majid

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sarfraj Hussain, 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. 227 dated 02.04.2017, under Sections 323, 376, 452, 506 of Indian Penal Code, registered at Police Station DLF, Sector 29, Gurugram, District Gurugram, Haryana.

Learned counsel for the petitioner, by relying upon the FSL report, which has since been obtained, contends that the allegations as set out in the FIR are false and vague. It is also argued that the petitioner herein was taken into custody in the aforesaid FIR on 03.04.2017. It is also contended that statement of the prosecutrix has been recorded and that the conclusion of trial will take sufficient time on account of the fact that a

petition under Section 319 has been filed seeking to summon Gaurav Sheoran, 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, oppose 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 03.04.2017 and that the statement of the prosecutrix has been recorded and since the husband namely Gaurav Sheoran has been summoned in proceedings under Section 319 Cr.P.C. and the matter is pending consideration before the trial Court, 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 09, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No