

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

CRM-M- 48952-2018 (O&M)

Date of Decision: November 14, 2018

Rohtash

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. B.S. Bedi, 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. 807 dated 20.09.2017, under Sections 363, 366, 376(2)(N) of Indian Penal Code, registered at Police Station Model Town, Panipat, District Panipat during the pendency of trial.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 08.10.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that statement of the prosecutrix has been recorded. It is contended that allegations as set out in the FIR are not sustainable since the petitioner and the daughter of the complainant had solemnized marriage on

20.09.2017 at Delhi 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 and out of total 16 witnesses, 07 witnesses including the material witnesses have been examined.

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 08.10.2017 and that the statement of the prosecutrix has been recorded and out of total 16 witnesses, 07 witnesses including material 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.

November 14, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No