

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

**CRM-M-49734-2017
Date of decision: 12.01.2018**

Shahrukh Ahmad @ Sam

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sherry K. Singla, Advocate &
Mr. Akshit Aggarwal, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 11 dated 06.04.2017, under Sections 376, 328, 34 and 313 IPC, registered at Women Police Station, Kurukshetra.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 07.05.2017. Counsel for the petitioner further submits that since the trial of the case is likely to take some time, the petitioner should be enlarged on regular bail as only 14 witnesses have been examined out of a total 21 witnesses.

Ms. Gaganpreet Kaur, AAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. She opposes the grant of regular bail to the petitioner on the ground that the allegations are serious in nature. She also informs this Court that statements of 14

witnesses have been recorded out of a total 21 witnesses so far.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 07.05.2017 and the trial is likely to take some time, no useful purpose would be served in keeping him in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

12.01.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No