

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

**CRM-M-49761-2017
Date of decision: 12.01.2018**

Nasim

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sarfaraz Hussain, 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. 118 dated 13.06.2017, under Sections 323, 376, 452 and 34 of the IPC, registered at Police Station Sanoli, District Panipat.

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 04.07.2017 and the investigation is complete. It is argued that in the FIR it has been alleged that the prosecutrix had been given severe beatings and she remained unconscious, however, the MLR totally belies her statement.

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.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 04.07.2017 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. The petitioner is directed to stay away from the prosecutrix/complainant and in case it is found that he is misusing the concession of regular bail, the State would be at liberty to approach this Court for cancellation.

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