

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-51123 of 2018

Date of Decision: 27.11.2018

Umesh Kumar @ Bhoot

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 739 dated 27.7.2017 registered at Police Station City Ballabgarh, District Faridabad under Sections 323, 366, 376, 450, 506 IPC.

Counsel for the petitioner contends that petitioner is in custody since 27.10.2017 and the prosecutrix has been examined but now an application under Section 319 Cr.P.C. has been moved. The counsel further states that there was no injury in the MLR and no semen was found in the FSL report and the complainant is a widow with three children and she had stayed with the petitioner for almost five months.

The petitioner is in custody for over a year. The prosecutrix had been examined, now an application under Section 319 Cr.P.C. has been moved and the trial would get delayed.

Without commenting anything on the merits of the case and

noticing the fact that no semen was found in the FSL report, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

November 27, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No