

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

Crl. Misc. M-6942 of 2018 (O&M)
Date of Decision: July 27, 2018

Rahisu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Karan Singh, 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.07 dated 04.01.2017, under Sections 365, 376, 506, 201 of Indian Penal Code, registered at Police Station Kundli, Sonipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 24.10.2017. It is argued that there is an inordinate delay in the registration of the FIR. It is submitted that the alleged incident pertains to 26.11.2016 whereas, the complaint was given on 14.12.2016 and on the said complaint, the instant FIR was registered on 04.01.2017. It is also submitted that she has furnished conflicting affidavits as to her whereabouts whereas, her own brother has submitted an affidavit that she was residing with him in the parental home.

It is also contended that out of total 16 witness, material witness i.e. complainant has been examined and 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 the offences alleged against the petitioner are serious in nature. However, she does not dispute the fact that the complainant has since 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 the petitioner herein has been in custody since 24.10.2017 and that the material witness of the case i.e. the complainant has 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.

July 27, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No