

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

CRM-M No. 45645 of 2018 (O&M)
Date of decision : February 05, 2019

Kuldeep Singh

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sanjay Verma, Advocate
for the petitioner.

Mr. Himmat Singh, DAG Haryana

Mr. Parminder Singh, Advocate
for the complainant.

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.286, dated 18.7.2017, registered under Sections 365, 328, 376-D, 120-B of the IPC and Sections 7, 8, 13 of the Prevention of Corruption Act, 1988, at Police Station Butana, District Karnal.

On the last date, the following order was passed :-

“ This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.286 dated 18.07.2017 registered under Sections 365, 328, 376-D, 120-B IPC and Sections 7, 8 and 13 of the Prevention of Corruption Act, 1988 at Police Station Butana, District Karnal.

The ground taken is that the petitioner has been in

custody since 28.07.2017 and actually it was a love affair which went wrong. On the last date also, learned Assistant Advocate General had argued that there is no evidence that there was any love affair and had prayed that the complainant/victim should be allowed to complete her deposition. She had stated that her examination-in-chief had already taken place and the matter was fixed for 14.03.2019 for cross-examination. I had adjourned the matter for today to ascertain that if the cross-examination of the complainant could be expedited. Today, the counsel for the complainant has very fairly stated that the complainant would be willing to be cross-examined any time.

In the circumstances, the trial Court is directed to prepone the case to 18.01.2019 for the purpose of cross-examination of the complainant.

Adjourned to 05.02.2019.”

Today, deposition of the victim has been shown to me and I find that in her cross-examination also, she has repeated the allegations and refuted the suggestion that she was having an affair with the co-accused Daljit Singh.

Counsel for the petitioner has argued that even if it may be so, yet the petitioner has now been in custody for more than one and half year and consequently should be released on bail on the basis of his incarceration.

Learned DAG Haryana as well as counsel for the complainant, however, argue that it is a very serious case and instead of granting bail to the petitioner, it would be appropriate to put a time cap on the trial. It has been stated that the prosecution would conclude its entire evidence on 30.04.2019 subject to the accused not obstructing the same.

Resultantly, this petition is dismissed at this stage and the trial Court is directed to release the petitioner on bail to its satisfaction in case the prosecution does not conclude its entire evidence on or before 30.04.2019 subject to the accused not obstructing the same.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

February 05, 2019

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No