

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

CRM-M-27851-2019.

Date of decision: 10.9.2019

Narender

... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Pardeep Goyal, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for the grant of regular bail in case FIR No.31 dated 7.4.2019, under Sections 376, 342, 423 and 506 of the IPC, registered at Police Station, Palwal, District Palwal.

Learned counsel for the petitioner states that as per FIR the prosecutrix has been in regular touch with the petitioner and the allegation against the petitioner is that on the pretext of solemnizing the marriage with her, the petitioner has been committing sexual assault upon her and at a later stage the prosecutrix has come to know that the petitioner has not taken divorce from his wife and in this manner, the petitioner has cheated her.

Learned counsel for the petitioner has argued that the petitioner is in custody since 8.4.2019. The prosecutrix has been examined in the case on 6.9.2019 and she has not supported the case of the prosecution

rather, has been declared hostile.

State counsel states that the allegations against the petitioner are serious and even if the prosecutrix has been declared hostile, the petitioner can still be convicted on the basis of other corroborative evidence.

Heard the learned counsel for the parties.

The petitioner being in custody since 8.4.2019 and the prosecutrix having not supported the case of the prosecution in her statement recorded on 6.9.2019, this Court finds that the culpability of the petitioner is yet to be established.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

(HARI PAL VERMA)
JUDGE

September 10, 2019.
raj arora

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No