

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

CRM-M-30736-2019

Date of decision:12.9.2019

BITTU @ GHOLU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Robin Lohan, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.313 dated 18.8.2018 under Section 201, 376(2)(n), 384, 506 IPC, registered at Police Station City Dadri, District Charkhi Dadri.
2. The FIR was registered at the instance of prosecutix wherein she alleged that the petitioner had physically assaulted her, against her wishes.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in fact the prosecutrix has been examined during the proceedings of the trial wherein she has categorically stated that petitioner had not committed rape upon her.

4. Opposing the petition, learned State counsel has submitted that since the petitioner has specifically been named in the FIR, no case for grant of bail is made out. It has however been informed that the petitioner has been behind bars since last more than 1 year.
5. Having considered rival contentions addressed before this Court and bearing in mind that fact that the complainant has not supported the case of prosecution and also that the petitioner has been behind bars since last 1 year, no fruitful purpose would be served by further detaining the petitioner behind bars. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

(GURVINDER SINGH GILL)
JUDGE

12.9.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**