

221.

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

CRM-M-62009-2018

Date of decision: 11.01.2019

NARESH @ MATRU

...Petitioner.

Versus

STATE OF HARYANA

...Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vishal Malik, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.114 dated 04.04.2018 registered under Sections 323, 34, 376, 452, 506, 511 IPC at Police Station Sadar, Jind, District Jind.

Learned counsel for the petitioner states that the petitioner is in custody since 08.05.2018. The allegation against the petitioner is that he has tried to commit rape on the complainant. He further states that the complainant has been examined in the case and she has not supported the case of the prosecution and for this reason, she has been declared hostile. Therefore, the chances of conviction of the petitioner are quite bleak.

On the other hand, learned State counsel, on instructions from HC Munish, has argued that the petitioner is involved in number of other

cases which includes three under the Arms Act. She has produced the list of cases registered against the petitioner, which shall form part of the record.

I have heard learned counsel for the parties.

Considering the fact that in the case in hand, the complainant has not supported the case of the prosecution and the petitioner being in custody since 08.05.2018, this Court finds that the trial in the case will take sufficient long time. Accordingly, petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that in case the petitioner is involved in any other case as pointed out by the State counsel, the prosecution shall be at liberty to seek cancellation of his bail.

Accordingly, present petition is allowed.

(HARI PAL VERMA)
JUDGE

11.01.2019
sanjeev

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