

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

CRM-M-2974 of 2020 (O&M)

Date of Decision: January 28, 2020

Sandeep alias Sonu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sushil Sheoran, Advocate
for the petitioner.

Ms. Trishanjali Chopra, 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.75 dated 07.04.2019, under Sections 376, 452, 506 of Indian Penal Code, registered at Police Station Badhra, District Charkhi Dadri.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 14.04.2019. It is submitted that the allegations as set out in the FIR are not sustainable, as would be evident from the FSL report, which is in negative. It is submitted that out of total 21 witnesses, 05 witnesses have been examined inclusive of the complainant, her father and the eye witness and conclusion of trial will take sufficient time to conclude, as such, 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, however, does not dispute the fact that all the material witnesses have 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 14.04.2019 and that all the material witnesses have 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.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

January 28, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No