

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

CRM-M-4263-2020(O&M)

Date of decision: - 27.05.2020

Jatinder Singh alias Jaggi

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Shalender Nagpal, Advocate, for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

CRM-11035-2020

Case is taken up for hearing through video conferencing.

This is an application for preponement of the date fixed in the main case and to place on record the statement of prosecutrix which has been declared hostile.

Notice of the application.

At the asking of the Court, Mr. Manish Bansal, DAG, Haryana, accepts notice on behalf of the State.

Learned counsel for the applicant-petitioner submits that the main case may be preponed and taken up for hearing today.

Learned State counsel submits that he has no objection, if the main case is preponed for today.

For the reasons mentioned in the application, the same is allowed.

The hearing in the main case is preponed from 16.7.2020 to today itself. The statement of prosecutrix is also taken on record.

CRM-M-4263-2020

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 207 dated 02.09.2019 registered under Sections 376(2)(n), 377, 384 and 506 IPC at Police Station Ellenabad, District Sirsa.

Learned counsel for the petitioner states that the petitioner has been in custody since 05.09.2019. Complainant-Krishna Rani, aged 31 years, has stepped into the witness box as PW-1 and has resiled from her statement (Annexure P-3).

Learned State counsel states that even though the complainant has resiled from her statement (Annexure P-3), 13 prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 05.09.2019. The complainant has resiled from her statement recorded under Section 164 Cr.P.C. The trial will take time to conclude and no useful purpose would be served by detaining the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

27.05.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No