

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

CRM-M- 3835-2020 (O&M)

Date of Decision: February 18, 2020

Sanjay Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Kumar, Advocate
for the petitioner.

Ms. Trishanjali Chopra, A.A.G., Haryana.

Mr. Lakshay Bajaj, Advocate
for the complainant.

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. 206 dated 02.10.2019, under Sections 323, 376(2)(n), 379-A and 506 Indian Penal Code, registered at Police Station Women, District Panipat.

Learned counsel for the petitioner contends that the allegations as set out in the FIR are totally false and the said FIR has been got registered only so that the complainant is absolved of making payment of outstanding fee of the petitioner- who is a practising lawyer, considering the fact that the petitioner had been representing her in various cases since the year 2015. It is also argued that in support of the contention to the allegations of rape upon the complainant, a medical was done which does not support the case of the prosecution while further submitting that the

petitioner herein was taken into custody in the aforesaid FIR on 25.10.2019 and that the conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

An appearance has been made by Mr. Lakshay Bajaj, Advocate on behalf of the complainant, who opposes the grant of regular bail to the petitioner while submitting that the statement of the complainant under Section 164 Cr.P.C. supports the allegations as set out in the FIR.

Learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, she does not dispute the fact that the material witnesses stand 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 25.10.2019 and that the material witnesses stand examined and the matters stand investigated, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case and finding this case to be the fit case for granting bail, 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.

February 18, 2020

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No