

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

242

CRM-M-8266-2020

Date of Decision:02.03.2020

Rajesh @ Sandi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Mukesh Yadav, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, 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 FIR No.114 dated 13.09.2019 under Sections 376, 452, 506 IPC (the offence under Section 511 IPC was added later on), registered at Women Police Station, Narnaul, District Mahendergarh.

Learned counsel for the petitioner has produced on record photocopy of the statement of the prosecutrix recorded as PW1 on 10.01.2020. He refers to cross-examination of the prosecutrix, wherein she has stated that since there was some altercation between her husband and the petitioner-accused, for this reason, they had gone to the police station and the petitioner has not committed any rape on 13.05.2019, 21.07.2019 and 12.09.2019. Petitioner is in custody since 19.09.2019 and trial in the

case is not likely to be concluded in the near future.

Learned State Counsel does not dispute the custody period of the petitioner. However, she states that she has no such information as regards statement of the prosecutrix while examined as PW1.

Heard learned counsel for the parties.

Petitioner is in custody since 19.09.2019. In her cross-examination recorded on 10.01.2020, the prosecutrix has not supported the case of the prosecution. Trial in the case is not likely to be concluded in the near future. Thus, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

March 02, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No