

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

219

CRM-M-9274 of 2020

Date of decision: 06.03.2020

Arun Kumar and Another

..Petitioners

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioners.

Ms. Mahima Yashpal, AAG, Haryana.

JAISHREE THAKUR, J.(ORAL)

This instant petition has been filed under Section 439 Cr.P.C., for grant bail to the petitioners in case FIR No.537 dated 01.09.2019 under Sections 376-D, 344, 506, 34 of Indian Penal Code, registered at Police Station Surajkund, District Faridabad.

Learned counsel for the petitioners contends that the petitioners herein were taken into custody in the aforesaid FIR on 10.10.2019 and 04.09.2019. It is submitted that the petitioners have been falsely implicated in the present case. The prosecutrix when examined in Court has turned hostile. Conclusion of trial will take sufficient time, therefore, the petitioners are entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, opposes the grant of regular bail to the petitioners, however, does not dispute the fact that the prosecutrix has turned hostile.

I have heard learned counsel for the parties.

The trial is likely to take some time and in view of the facts that the petitioners herein has been in custody since 10.10.2019 and 04.09.2019 and that prosecutrix has turned hostile and did not support the prosecution version, no useful purpose would be served in keeping the petitioners behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioners are 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 effect on the merits of the case.

March 06, 2020
Poonam Sharma

(JAISHREE THAKUR)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether Reportable

Yes/No