

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

218

CRM-M-9272 of 2020

Date of decision: 06.03.2020

Banta Singh

..Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. D.S. Virk, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Haryana.

JAISHREE THAKUR, J.(ORAL)

This instant petition has been filed under Section 439 Cr.P.C., for grant bail to the petitioner in case FIR No.496 dated 16.12.2018, under Sections 341, 365, 511, 392, 394 (397 & 201 added later on) of Indian Penal Code, registered at Police Station Sadar Fatehabad, District Fatehabad.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 27.12.2018. It is submitted that the petitioner has been falsely implicated in the present case. All the prosecution witnesses have been examined. The prosecutrix when examined in Court has turned hostile. Conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, opposes the grant of regular bail to the petitioner, 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 petitioner herein has been in custody since 27.12.2018 and that prosecutrix has turned hostile and did not support the prosecution version, 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 effect on the merits of the case.

March 06, 2020
Poonam Sharma

(JAISHREE THAKUR)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether Reportable

Yes/No