

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-11107 of 2020

Date of Decision: 03.06.2020

Kuldeep

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

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

Present:- Mr. Rajnikant Upadhyay, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.486 dated 27.08.2019 under Sections 354 and 436 IPC registered at Police Station Sonipat City, Sonapat.

Learned counsel for the petitioner submits that the allegation against the petitioner is that on 26.08.2019, the petitioner entered into the house of the prosecutrix and started misbehaving with her and when she resisted, he after setting the room on fire, ran away, in which the bed, wearing clothes and inverter of the prosecutrix got burnt. The prosecutrix could not stop him, as she was pregnant. He submits that there is no evidence on record to substantiate the allegation levelled by the prosecutrix that the petitioner has set the room on fire, in which the bed, wearing

clothes and inverter got burnt. The petitioner is in custody since 16.09.2019 and charges in the case have been framed and now, the case is fixed for prosecutrix evidence on 09.07.2020.

Learned State counsel does not dispute the custody of the petitioner. However, he submits that the allegations against the petitioner are serious in nature, as he has misbehaved with the prosecutrix and then set her room on fire, in which, the bed, wearing clothes and inverter were burnt.

I have heard learned counsel for the parties.

There is no report on record that the petitioner has put the room on fire and because of this, the bed, wearing clothes and inverter were burnt. The allegation against the petitioner is that he has misbehaved with the prosecutrix.

Considering the fact petitioner is in custody since 16.09.2019 and trial in the case will take sufficient long time and no useful purpose would be served by keeping the petitioner in custody, this Court deems it appropriate to release the petitioner on regular bail.

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

June 03, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No