

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

CRM-M-21455-2020 (O&M)

Date of decision: 16.09.2020

Deepak

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Ramesh Kumar Ambavta, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 09 dated 29.01.2020 registered under Sections 376, 506, 450 and 354 D IPC at Women Police Station Jind, District Jind.

Learned counsel for the petitioner states that the complainant is a 30 years old lady having two children and residing with her father-in-law. He further states that there is no allegation of rape in the FIR but later on, the complainant/victim in her statement recorded under Section 164 Cr.P.C. before the learned trial Court, the specific role has been attributed to the petitioner and co-accused. He further states that co-accused Jaswant Singh has been granted bail by a Coordinate Bench of this Court, whereas co-

accused Ajay has been granted regular bail by a Coordinate Bench of this Court, vide order dated 02.07.2020 (Annexure P-4). The petitioner has been in custody since 03.02.2020.

Copy of reply by way of affidavit dated 28.8.2020 of Deputy Superintendent of Police, Headquarters Jind, District Jind, filed in the Registry, is taken on record.

On the instructions from ASI Anita Kumari, learned State counsel has not disputed the facts regarding the custody period of the petitioner and that two co-accused have already been granted bail. He submits that the prosecutrix in her statement recorded under Section 164 Cr.P.C. has specifically named the petitioner. The challan has been presented qua the petitioner and co-accused Ajay.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 03.02.2020. Two co-accused have already been granted bail by Coordinate Benches of this Court. The trial will take time to conclude and no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

16.09.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No