

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

Crl. Misc. M-30566 of 2020 (O & M)

Date of decision: 06.10.2020

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Sukhbir @ Shakkad

....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Naveen Siwach, Advocate,
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

Crl. Misc. No. 24498 of 2020

Allowed as prayed for.

Crl. Misc. M-30566 of 2020

The present petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in FIR No. 199 dated 18.04.2020 under Sections 328, 365, 376(2)(n) IPC, 1860 registered at Police Station Barwala, District Hisar.

Counsel for the petitioner submits that the petitioner has been in custody since 22.04.2020 and the FIR was lodged after a delay of one day. It is submitted that there was a relationship as such of the petitioner with the victim, who is admittedly 19 years of age. It is submitted that the investigation is complete and the challan has been presented and it would take considerable time to conclude the trial.

A perusal of the FIR would go on to show that the prosecutrix as such had accompanied the petitioner on the motor cycle and gone to a room situated in agricultural land. The misdeeds were done there and they had been discovered on the next day by the brothers, on which account, the petitioner had ran away. The allegation is that she had been given some intoxicant substance in the cold drink also.

Keeping in view the above background, this Court is of the opinion that the petitioner is entitled for the benefit of regular bail during the pendency of trial as possibility of false implication cannot be ruled out on being discovered by the brother. No useful purpose would be served by keeping him in judicial custody.

Resultantly, the present petition is allowed and the petitioner is granted bail, on his furnishing bail bonds/surety bonds, to the satisfaction of the Illaqa/Duty Magistrate, Hisar. Needless to say that anything said herein is only for the purpose of deciding the present bail application and this Court has not opined on the merits of the case.

06.10.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No