

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.29453 of 2019 (O&M)
Date of Decision.25.11.2020
(Heard through VC)

Sunil @ Shillu

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Himanshu Rao, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

Mr. Manish Soni, Advocate
for the complainant.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.10 dated 06.02.2019 registered under Sections 376, 417, 506 IPC and Sections 24, 54 and 59 of Arms Act, 1959 at P.S. WPS Rewari, Distt. Rewari.

Learned counsel for the petitioner *inter alia* would contend that the allegations as set out in the FIR are patently false, while further contending that statement of the prosecutrix has already been recorded, which would reflect that she being a major was well aware of the fact that the petitioner was already married. This would be evident from the fact that she has stated that she resided in the house along with the petitioner and his wife-Santosh for a period of one month. It is argued that she portrayed herself to be the wife of the petitioner when she herself knew that he was already married. It is further argued that since the statement of the

prosecutrix has already been recorded, the petitioner is not in a position to tamper with the evidence and threaten the material witnesses.

Learned counsel appearing on behalf of the respondent-State as well as the complainant oppose grant of regular bail to the petitioner by contending that the petitioner is involved in heinous crime and therefore, is not entitled for concession of regular bail.

I have heard learned counsel for the parties and have perused the paper book.

Keeping in view the fact that statement of the prosecutrix has been recorded and the trial is likely to take some time to conclude as out of 18 witnesses cited only 4 have been examined, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)

JUDGE

November 25, 2020

Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No