

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32580-2019
Date of decision-10.02.2020

Charan Singh @ Kalia
Vs.

....Petitioner

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gurcharan Singh Gandhi, Advocate for the petitioner.
Ms. Tanushree Gupta, DAG, Haryana.
Mr. Manish Soni, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner- Charan Singh @ Kalia has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.155 dated 20.05.2019 registered under Sections 195-A and 506 read with Section 34 of Indian Penal Code, 1860 at Police Station Kasola, District Rewari. The petitioner is in custody since his arrest on 23.05.2019.

Learned counsel for the petitioner contends that the present FIR is an off shoot of FIR No.10/2019 under Sections 376, 377, 417, 420, 506, 34 IPC and Section 25 of Arms Act registered at Women Police Station, Rewari, against his co-accused Sunil for the alleged commission of offence of rape with the victim who is niece of the complainant in the present case. The present FIR has been registered on the allegations of extending threat to the victim for compromise. According to him, the allegations have been levelled mainly against the accused of the said case, namely, Sunil @ Sillu son of Hanuman. The petitioner was indicted as a co-accused only on the

ground that the petitioner on the asking of Sunil @ Sillu extended threat to the victim for pressurizing for compromise. Learned counsel for the petitioner submits that the petitioner is in custody since 23.05.2019 and the examination-in-chief of the prosecutrix stands recorded, therefore, further custody of the petitioner may not be necessary.

On the contrary, learned State counsel assisted by ASI Randhir Singh and learned counsel for the complainant opposed the prayer. However, it is not disputed that the examination-in-chief of the complainant is recorded. According to her, an application under Section 319 Cr.P.C has been filed by prosecution for summoning additional accused and the same is pending. It is pointed out that 03 prosecution witnesses have been examined out of total 09 witnesses.

Considering the above background and the fact that the trial will consume considerable time to conclude, therefore, this Court does not find any reason to further detain the petitioner behind the bars. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

10.02.2020

vanita

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No