

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

**CRM-M-43703-2019
Decided on : 05.02.2020**

Vinod @ Manoj Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. V.P. Sangwan, Advocate
for the petitioner(s).

Mr. D.R. Singla, DAG, Haryana
assisted by SI Prem Singh.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 354, dated 04.09.2018, under Section 346 IPC (later on added Sections 363, 366, 376, 452, 376(2)(n), 34 IPC), registered at Police Station Badhra, District Charkhi Dadri.

Learned counsel for the petitioner *inter alia* contends that the victim is a married lady and had been in a consensual relationship with the petitioner. It has been further contended that the only role attributed to the petitioner is that he enticed the lady and took her with him to Aligarh and thereafter, she was left with co-accused Satender @ Satu, who has since been granted the concession of regular bail by this Court vide order dated 04th September, 2019. It has also been contended that the victim (lady) thereafter, stayed with the co-accused Satender @ Satu for six months and was recovered from his custody.

Learned State counsel does not controvert the aforesaid facts while opposing bail application. It has been submitted by the learned State counsel that out 10, out of 15 prosecution witnesses cited, have been

examined and the next date fixed before the trial Court is 19th February, 2020, when the remaining witnesses are likely to be examined.

Heard.

Having considered the submissions made by either side, the petitioner has been behind bars admittedly since 18th October, 2018 i.e. approximately one year and three months. The star witness i.e. the victim has already been examined and the trial is not likely to conclude in the near future. Hence, further detention of the petitioner will not serve any useful purpose. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 05, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*