

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

**CRM-M No.54798 of 2019
Date of Decision.06.02.2020**

Gagandeep Singh

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Deepshikha Chauhan, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

1. The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.45 dated 13.07.2019 under Sections 342, 376 and 506 IPC registered at Police Station Women, Dabwali, Sirsa, Haryana.

2. Learned counsel for the petitioner herein would argue that three different statements of the prosecutrix have been recorded and each is at variance with the other, while further submitting that in statement to the doctor, it was stated that another person by name Bagga was also involved. It is argued that the petitioner has been in custody since 14.07.2019 and the trial is likely to take some time to conclude as out of 14 witnesses, only 2 have been examined till date.

3. Learned counsel for the respondent-State has opposed the grant of bail to the petitioner while submitting that statement of the prosecutrix has been recorded in court and she has supported the case of the

prosecution.

4. I have heard learned counsel for the parties.

5. Keeping in view the fact that there are inconsistencies in statements of the prosecutrix recorded on different occasions and the petitioner is in custody since 14.07.2019, is no more required, no useful purpose would be served in keeping the petitioner behind the bars any longer. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein is not meant to affect the merit of the case.

(JAISHREE THAKUR)
JUDGE

February 06, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No