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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4583-2021(O&M)
Date of Decision: 13.08.2021

(Heard through V.C.)

Ram Mehar alias Deep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, A.A.G., Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.354 dated 17.11.2020 under Sections 323, 328, 376(2)(n), 376D, 379 of IPC registered at Police Station Agroha, District Hisar.

Learned counsel for the petitioner prays for grant of regular bail on the ground that the material witness namely the prosecutrix has since expired and therefore, the possibility of the prosecution succeeding is remote.

Reply filed on behalf of the respondent-State is taken on record.

Learned counsel for the respondent-State opposes the grant of regular bail but does not dispute the fact that the prosecutrix has since expired. However, it is stated that the FSL report is still awaited.

POOJA SHARMA
2021.08.16 12:03
I attest to the accuracy and
integrity of this document

I have heard counsel for the parties and have also perused case file.

In view of the fact that the prosecutrix is no longer alive, the question of the petitioner herein influencing the prosecutrix would not arise and that the matter stands investigated, I deem it appropriate to allow the benefit of regular bail to the petitioner. The petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

13.08.2021 **(JAISHREE THAKUR)**
ps-I **JUDGE**

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

POOJA SHARMA
2021.08.16 12:03
I attest to the accuracy and
integrity of this document