

111.

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

**CRMs-25836 & 25839-2021 IN/AND
CRM-M-11585-2021**

Date of Decision: 25.08.2021
(Heard through VC)

AMIR SINGH

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Gahlawat, Advocate,
for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana

JAISHREE THAKUR.J (Oral)

CRM-25836-2021

Prayer in this application filed under Section 482 Cr.P.C. is for preponement of date of hearing of the main case, which is otherwise fixed for hearing on 29.09.2021.

For the reasons stated in the application, same is allowed and the hearing of the main case is postponed and taken on board today itself.

CRM-25839-2021

Application is allowed, as prayed for.

Annexure P-7 is taken on record.

CRM-M-11585-2021

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.0096, dated 14.10.2020

under Sections 323, 376, 506 of IPC, registered at Police Station Women, District Jind.

2. Learned counsel for the petitioner herein would pray for grant of regular bail by relying upon the statement of the prosecutrix who has turned hostile and not supported the version of the prosecution. It is submitted that the petitioner has been falsely implicated in the said case. He is in custody since 15.10.2020 and as the material witness has already been examined, there would be little likelihood of him influencing her. Moreover, the trial is likely to take some time to conclude.

3. *Per contra*, learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail, but is not in a position to dispute the fact that the prosecutrix has turned hostile.

4. I have heard learned counsel for the parties.

5. Keeping in view the fact that the prosecutrix has turned hostile and the fact that trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind the bars. 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 shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

25.08.2021

sanjeev

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