

211.

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

CRM-M-21863-2021

Date of Decision: 27.09.2021

(Heard through VC)

MANJEET

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Sharmila Sharma, Advocate,
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

JAISHREE THAKUR.J (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.92, dated 27.01.2021, registered under Sections 376-D, 376(2) (E) IPC, at Police Station Old Industrial, Panipat.

Learned counsel for the petitioner herein would pray for grant of regular bail by contending that the prosecutrix 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 27.01.2021 and as the material witnesses have already been examined, there would be little likelihood of him influencing her. Moreover, the trial is likely to take some time to conclude.

Per contra, learned counsel appearing on behalf of the respondent-State, on instructions from SI Mahavir Singh, would fairly submit that the prosecutrix has been examined and she turned hostile.

I have heard learned counsel for the parties.

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.

Accordingly, 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 of opinion on merits of the case.

(JAISHREE THAKUR)
JUDGE

27.09.2021
sanjeev

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