

213.

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

CRM-M-23127-2021

Date of Decision: 28.09.2021

(Heard through VC)

SAIFU

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Ms. Sheenam Kamboj, Advocate,
for the complainant.

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.233, dated 20.09.2020, registered under Sections 363, 365, 376-D, 506 of IPC (Sections 366, 366-A of IPC added lateron), at Police Station Sri Hargobindpur, District Gurdaspur.

Learned counsel for the petitioner herein would pray for grant of regular bail to the petitioner by contending false implication as would be evident from the fact that the statement of the prosecutrix has been recorded in which she has not supported prosecution version. The petitioner is in

custody since 15.04.2021 and as the material witnesses have already been examined, there would be little likelihood of him influencing the witnesses. Moreover, the trial is likely to take some time to conclude.

On the other hand, learned State counsel as well as counsel for the complainant opposes the grant of regular bail. However, learned State counsel would fairly submit that the prosecutrix has been examined and she has turned hostile.

I have heard learned counsel for the parties.

Keeping in view the fact that the statement of the prosecutrix has been recorded wherein she 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

28.09.2021

sanjeev

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