

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

(Heard through VC)

CRM No.31733-2021 in/and
CRM-M-29037-2021 (O&M)
Date of Decision: September 29, 2021

Saurabh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Abhilaksh Grover, Advocate
for the petitioner.

Ms. Mahima Yashpal, DAG Haryana.

Mr. Arshdeep Bhullar, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

CRM-31733-2021

This is an application that has been filed seeking to prepone hearing in the main case, which is now listed for 17.11.2021.

For the reasons mentioned in the application, the same is allowed. Hearing in the main case is preponed and the same is taken up for hearing today.

CRM-M-29037-2021

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.242 dated 02.04.2021, under Sections 376 of Indian Penal Code, registered at Police Station Sector 7, Faridabad.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 07.06.2021. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that investigation is complete, as the challan has been presented and the complainant has no objection, in case, bail is allowed to him.

On the other hand, counsel for the complainant would submit that there was a misunderstanding between the parties, which led her to register the FIR. She would have no objection, if regular bail is allowed to the petitioner.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner. She submits that challan has been presented in the matter and mobile phones recovered have been sent to the Forensic Laboratory.

I have heard learned counsel for the parties.

In view of the facts that investigation is complete, as the challan has already been presented and conclusion of trial is likely to take sufficient time, apart from the fact that complainant herself has no objection in allowing regular bail to the petitioner, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without

commenting on the merits of the case, 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, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

September 29, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No