

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

233

CRM-M No.29897 of 2021

Date of Decision:10.08.2021

(Heard through VC)

Sammi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Prateek Rathee, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 108 dated 22.10.2020, registered under Sections 376D, 506 and 34 IPC at Police Station Women Manesar, Gurgram, Haryana.

2. Learned counsel for the petitioner herein would contend that the allegations as set up patently here are false as evident from the fact that in the statement given under Section 164 Cr.P.C., the complainant has categorically submitted that she have got the complaint registered on account of the fact that she was in anger with her boy friend-Rinku, who has already been allowed regular bail by this Court in CRM-M No.23813 of 2021. He further would submit that the prosecutrix has been examined in Court in which she has given statement that she had voluntarily developed

physical relationship with Rinku and the accused-petitioner herein. It is submitted that since the material witness has already been examined and trial is likely to take some time to conclude, therefore, custody of the petitioner would no longer be required.

3. Learned counsel for the respondent-State would oppose grant of bail to the petitioner but is not in a position to dispute the fact that co-accused-Rinku has already been allowed bail by this Court vide order dated 12.07.2021 or that the statement of the prosecutrix witness has also been recorded.

4. I have heard counsel for the parties. Keeping in view the fact that co-accused-Rinku has already been allowed bail by this Court, the material witness has been examined and also the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/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.

August 10, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No