

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-30553-2021(O&M)

Date of Decision: 30.09.2021

Karan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Pankaj Bali, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, 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.4 dated 04.01.2021 under Sections 328, 376, 506, 509 and 384 IPC, registered at Police Station Karnal, Sadar, District Karnal.

Learned counsel for the petitioner herein would contend that the petitioner has been falsely implicated in the case. Investigation is complete. Even the statement of the prosecutrix has been recorded and, therefore, the petitioner herein would not be in a position to influence her in any manner. There are material contradictions in her statements before the police and the Court. Prosecutrix is a grown up lady aged 31 years. There is inordinate delay in lodging the FIR. It is also submitted that the prosecutrix herein is a person who is habitual in levelling false allegations

against various persons and extorting money from them. Learned counsel has referred to certain applications given by the prosecutrix to the police officer at different points of time and were subsequently withdrawn. It is submitted that trial is likely to take some time to conclude, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State would contend that she has no instructions regarding any such complaints that have been filed by the prosecutrix against other persons.

I have heard counsel for the parties and have perused the case file.

In view of the fact that the statement of the prosecutrix has been recorded. Out of total 11 witnesses cited, only one has been examined so far. Trial is likely to take long to conclude and there remains no chance for the petitioner to influence the prosecutrix. Petitioner is in custody since 11.01.2021. 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 his execution of personal/surety bonds to the satisfaction of concerned trial court/Duty Magistrate.

Anything observed hereinbefore shall not be construed as an observation on merits of the case.

30.09.2021

Riya

Whether speaking/reasoned :

Whether Reportable :

(JAISHREE THAKUR)

JUDGE

Yes

No

Yes

No