

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

CRM-M-40949-2020

Date of decision:24.02.2021

Mahesh Aggarwal

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. A.S. Sekhon, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Custody certificate by way of an affidavit dated 23.02.2021 of Deputy Superintendent, Central Jail, Faridkot, filed through email, is taken on record.

Through this petition under Section 439 Cr.P.C., the petitioner seeks regular bail in case bearing FIR No.147 dated 08.09.2020 registered under Sections 354-A, 506 IPC (Sections 354 and 341 IPC added later on vide rapat No.17 dated 04.11.2020) at Police Station Jaito, District Faridkot.

Learned counsel for the petitioner states that the complainant-prosecutrix, while appearing as PW1 before the trial Court on 24.12.2020, resiled from her statement and not supported the prosecution version and accordingly she was declared hostile. The petitioner has been in custody since 04.11.2020 and there is no other case pending or registered against him.

Learned State counsel, on the instructions from ASI Rajinder Singh, while opposing the prayer for grant of regular bail, does not dispute the submissions, as stated by learned counsel for the petitioner.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 04.11.2020. Trial of the case would take time to conclude. Moreover, the complainant in her testimony before the trial Court, has resiled from her previous version. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

24.02.2021

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No