

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

207

**CRM-M-43997-2020(O&M)
Decided on :28.06.2021**

MANJEET

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Ms. Seema Pasricha, Advocate
for the petitioner.

Ms. Ranjana Shahi , Addl. AG Haryana
assisted by ASI Monika .

MANJARI NEHRU KAUL, 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.69, dated 13.03.2020 under Sections 376 and 506 of the IPC, registered at P. S. Women, NIT Faridabad.

Learned counsel appearing for the petitioner has placed on record a copy of the deposition of the prosecutrix. Learned counsel while inviting the attention of this Court to the deposition of the prosecutrix has submitted that she did not support the case of the prosecution and was thus declared hostile.

Learned counsel contends that petitioner has been in custody since 24.08.2021 and there is no likelihood of the trial concluding any time in the near future. She has further submitted that since the material witnesses including the prosecutrix already stands examined, there is no apprehension that the petitioner would tamper with any evidence and try to influence the remaining witnesses.

Per contra, learned State counsel while opposing the prayer

and submissions made by the learned counsel for the petitioner on instructions from ASI Monika has not been able to controvert the factum of the prosecutrix having been declared hostile on account of not supporting the case of the prosecution.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

June 28, 2021

S.Sharma(syr)

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