

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

CRM-M No.48516 of 2021

Date of Decision:10.12.2021

Nazrudeen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

Reply filed by way of affidavit of Virender Singh, HPS on
behalf of respondent-State is taken on record.

This is a petition that has been filed for grant of regular bail to
the petitioner in FIR No.131 dated 09.03.2021 registered under Sections
376(n), 506 of the IPC at Police Station City Panipat, District Panipat.

Learned counsel for the petitioner contends that the petitioner
has been falsely implicated in the said FIR as would be evident from the fact
that prosecutrix and her brother have been examined, who did not support
the prosecution version. It is submitted that the petitioner is in custody
since 16.03.2021. It is further submitted that the trial is likely to take some
time to conclude, therefore, prays for grant of regular bail to the petitioner.

Learned counsel for the respondent-State would rely upon the
reply filed and oppose grant of regular bail to the petitioner while pointing

to the seriousness of allegations levelled against him, however, he does not dispute the fact that the prosecutrix and her brother have turned hostile and there is no DNA report available in the present case.

I have heard learned counsel for the parties. Keeping in view the fact that the prosecutrix and her brother have been examined, who did not support the prosecution version and the fact that 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 bonds to the satisfaction of concerned trial court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

December 10, 2021
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No