

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 218

CRM-M-13749-2022

Date of decision : 08.09.2022

Rajat @ Shashi Bhushan

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.P.S.Chauhan, Advocate, for the petitioner.

Ms.Sheenu Sura, DAG, Haryana.

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DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.181 dated 27.11.2021 registered under Sections 363 and 366-A IPC (Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 506 IPC added later on) at Police Station Sadar, Rewari, District Rewari.

The petitioner is being prosecuted for having kidnapped a minor girl as also for giving her threats/abuses in the name of her caste.

Learned counsel for the petitioner submits that the petitioner, who is a 18 year old boy, has been falsely implicated in this case; he does not have any other criminal antecedents; he is in custody since 12.01.2022; all material witnesses, including the complainant and the alleged victim, stand examined in the petitioner's trial; during the course of their examination the complainant, the alleged victim as also the alleged victim's mother have given the petitioner a clean chit and that since 11 prosecution witnesses still remain to be examined in the petitioner's trial, the same will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he has kidnapped a minor girl as also has threatened/abused her in the name of her caste.

The complainant, the alleged victim and the alleged victim's mother while appearing before the Trial Court as PW-1 to PW-3 respectively have absolved the petitioner of all the charges he is accused of; the petitioner is in custody since 12.01.2022; he does not have any other criminal antecedents; all material witnesses, including the complainant and the alleged victim already stand examined in the petitioner's trial and that since 11 prosecution witnesses still remain to be examined, the petitioner's trial is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Rewari, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

08.09.2022  
shamsher

[DEEPAK SIBAL]  
JUDGE

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|---------------------------|---|----------|
| Whether speaking/reasoned | : | Yes / No |
| Whether reportable        | : | Yes / No |