

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

238

CRM-M-18865-2022 (O&M)

Date of Decision: 11.05.2022

MAAN SINGH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Davneet Sangwan, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this 3rd petition, the petitioner seeks regular bail in case bearing FIR No.110 dated 12.03.2020, registered under Sections 323, 354, 376(2)(n) IPC, at Police Station Indri, District Karnal.

Learned counsel for the petitioner submits that the petitioner is the father-in-law of the complainant; that the petitioner has been in custody since 02.04.2020; that complainant, namely, Babita, appearing as PW-2, before the trial Court, has not supported the prosecution version and turned hostile. He further submits that the complainant along with her children has now been residing happily in her matrimonial house.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner as well as the factum of PW-2 turning hostile. He, however, submits that out of 11 prosecution witnesses, only two have been examined, so far and that the earlier bail petition preferred by the

petitioner was dismissed on merits on 17.11.2020.

I have heard the learned counsel for the parties.

The petitioner is the father-in-law of the complainant and has been in custody since 02.04.2020. The complainant has turned hostile. The complainant along with her children has now been residing happily in her matrimonial house. Most of the prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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

11.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>