

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

220

**CRM-M-33897 of 2022
Date of decision : 08.08.2022**

Kuldeep

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIVEK PURI

Present:- Mr. Manoj Tanwar, Advocate, for the petitioner.

Mr. J. S. Chauhan, DAG, Haryana.

VIVEK PURI, J. (Oral)

Custody Certificate of the petitioner has been circulated today and the same is taken on record.

Petitioner is seeking regular bail in the case bearing FIR No.308 dated 06.08.2021, under Sections 346 IPC (and 201, 323, 366, 379-B, 427, 376 and 506 IPC added later on) registered at Police Station Kanina, Distt. Mahendergarh (Annexure P-1).

Briefly, the case has been registered on the basis of statement of father-in-law of the prosecutrix alleging that she was abducted by the petitioner.

Learned counsel for the petitioner contends that during the course of trial, the prosecutrix who is aged about 24 years has not supported the prosecution version. She has deposed to the effect that the petitioner is her relative. On the date of occurrence, he had taken her to the hospital as she was suffering from fever. She categorically stated that the petitioner neither enticed her nor gave her beatings, nor committed rape, not snatched her mobile phone and money. The petitioner is in

custody for a period of 8 months and 10 days and 18 witnesses remain to be examined.

Learned State counsel has not assailed the aforesaid factual aspects.

The prosecutrix is a married lady aged about 24 years and having a child and she has not supported the prosecution version during the course of trial. The petitioner is in custody for a period of 8 months and 10 days and 18 witnesses still remain to be examined. The conclusion of the trial is likely to take some time. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

08.08.2022
anil

(VIVEK PURI)
JUDGE

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