

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.208

CRM-M-14798-2023 (O&M)
Date of decision : 13.12.2023

Sonu

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

Mr. K.S. Thakur, AAG, Punjab.

HARPREET KAUR JEEWAN, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.311 dated 23.09.2022 registered under Sections 376(2)(n), 376(2)(e) and 506 of the IPC at Police Station Bawal, District Rewari.

Counsel for the petitioner *inter alia* contends that age of the prosecutrix is 21 years. There was consensual relationship between the petitioner and the prosecutrix. However, the case was registered only when the matter came to the notice of the hospital authorities where both the prosecutrix and the petitioner were working. The alleged occurrence took place on 07.12.2021. The present FIR was registered on the basis of a complaint submitted on 23.09.2023. The allegations in the FIR regarding involvement of the petitioner with other girl are falsified as they have not supported the prosecution case registered at her instance who appeared as a witness in the trial Court on 10.03.2023 (Annexure P-6). The petitioner has been in custody since 23.09.2022.

On the other hand, learned State counsel opposes the bail on the ground that the allegations levelled against the petitioner are serious in nature. However, he has confirmed that the statements of the prosecutix as well as Dr. Pratile Yadav, proprietor of the private hospital have already been recorded during trial. Out of 17 witnesses 09 witnesses have been examined and 06 have been given up. The material witnesses have been examined including the prosecutrix.

In view of the above facts and circumstances and considering the fact that the investigation is complete. Statements of material witnesses are recorded. The trial will take some time to conclude. The present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

(HARPREET KAUR JEEWAN)
JUDGE

13.12.2023
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No