

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

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**CRM-M No. 20426 of 2022
Date of Decision : 22.3.2023**

*Deepak Shah**..... Petitioner**versus**State of UT, Chandigarh**..... Respondent*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Ms. Deepika, Advocate, for the petitioner

Ms. Vasundhara Dalal Anand, AAP, UT, Chandigarh

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.148 dated 18.9.2021 under Sections 341, 354, 354-D, 324 and 506 IPC registered at Police Station South, Sector 34, Chandigarh.

2. As per allegations, the petitioner accosted the complainant, aged about fourteen years, in a park and gave a slap after holding her by the hair. He also inflicted a cut injury with knife on her left hand, and threatened to kill her before running away.

3. Learned counsel for the petitioner contends that this is a case of false implication as the complainant herself has not supported the prosecution version in her testimony before the trial Court.

4. Learned State counsel, on instructions does not dispute the fact but states that only in cross-examination the prosecutrix has resiled from her version. She, however, opposes the grant of bail on the ground that trial of the case is going on and four out of eight witnesses have already been examined.

The petitioner is in custody since 3.12.2021, and there is no other case against him.

5. Keeping in view the facts aforestated, it is apparent that conclusion of the trial will take long time, and the material witnesses already stand examined. The victim herself has not supported the prosecution version. The petitioner has no criminal antecedents. Therefore, no useful purpose will be served by confining him to custody during trial, any longer.

6. Accordingly, the petition is allowed. The petitioner is ordered to be released on bail to the satisfaction of the trial Court/Duty Magistrate.

(TRIBHUVAN DAHIYA)
JUDGE

22.3.2023
Ashwani

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