

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

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**CRM-M No.31359 of 2021 (O & M)
Date of Decision : 16.1.2023**

Khushwant Singh

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sagar Aggarwal, Advocate, for the petitioner
Ms. Ankita Ahuja, AAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner in case FIR No.50 dated 22.4.2021 under Sections 328, 376(2)(n), 452 and 506 IPC, registered at Police Station Women, District Karnal.

Learned counsel for the petitioner contends that the complainant had a consensual relationship with the petitioner/accused. In that regard, he has referred to photographs and transcripts of messages, Annexures P-1 to P-3. He further submits that the complainant is a married woman having a child and her husband is residing abroad. The alleged occurrence took place in November 2020 and the FIR in question was lodged about six months thereafter.

Learned State counsel, on instructions from ASI Manjeet, states that one out of fifteen witnesses has been examined. The prosecutrix has recorded her statement in examination-in-chief and cross-examination stands deferred on account of an application filed under Section 319 Cr.P.C. on her behalf. The petitioner is in custody since 2.6.2021.

Learned counsel for the petitioner contends that the application under Section 319 Cr.P.C. to summon the parents of the petitioner has only

been made to delay the trial. Otherwise, they were found innocent during the investigation.

In view of the above and keeping in view the fact that the trial is likely to take long time to conclude, this Court deems it appropriate to grant bail to the petitioner. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(TRIBHUVAN DAHIYA)
JUDGE

16.1.2023
Ashwani

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