

2023:PHHC:162123

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

CRM-M-39251-2023

Date of Decision: 18.12.2023

MOHD. JAMIR ALIAS MOHAMMAD ZAMIR @ JAMIL

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Himanshu Joshi, Advocate
for the petitioner.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana.

VIVEK PURI, J.(ORAL)

1. The petitioner is seeking regular bail in the case bearing FIR No. 116 dated 18.04.2023 under Sections 376/506/511 IPC registered at Police Station Dhauj, District Faridabad.

2. Custody certificate has been placed on record.

3. Learned counsel petitioner contends that as per the allegations, the petitioner had outraged the modesty and made an attempt to commit rape upon the prosecutrix. The prosecutrix was aged about 21 years at the time of occurrence. During the course of trial, the prosecutrix has not supported the prosecution version. It has been categorically and specifically deposed by the prosecutrix that nothing wrong has been done with her by the petitioner.

4. Learned State counsel has submitted that the petitioner is involved in another case and out of 10 witnesses, only 01 witness has been examined.

5. Custody certificate indicates that the petitioner is in custody for a period of 07 months and 24 days. Though the petitioner is involved in

another case but in the instant case, the prosecutrix has not supported the prosecution version. Still 09 witnesses remain to be examined. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

6. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

18.12.2023
smriti

(VIVEK PURI)
JUDGE

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