

ANKIT **...PETITIONER**

STATE OF HARYANA ...RESPONDENT

Present: Mr. Karminder Singh, Advocate for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI,J. (ORAL)

1. Ankit-petitioner is seeking regular bail in the case bearing FIR No.259 dated 03.08.2023 under Sections 323/354/354-B/376/452/511 IPC,1860 registered at Police Station Asauda, Tehsil Bahadurgarh, District Jhajjar.
2. Briefly, the FIR has been registered on the allegations that on 03.08.2023, the petitioner had made an attempt to disrobe the prosecutrix and committed assault upon her.
3. Learned counsel for the petitioner contends that the arrest of the petitioner was effected on 04.08.2023 and is not involved in any other case. During the course of trial, the prosecutrix and her uncle have not supported the prosecution version. The prosecutrix is aged about 28 years.
4. Learned State counsel submits that the FIR has also been registered with regard to commission of offence under Section 376 read with Section 511 IPC and out of 11, only 02 witnesses have been examined.
5. It is significant to note that during the course of trial, the prosecutrix and her uncle have not supported the prosecution version. She has categorically stated that the petitioner is not the person who molested her, committed sexual

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04.08.2023 and not involved in any other case. Still 9 more witnesses remain to be examined. The conclusion of trial is likely to take sometime. 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.

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

7. The petition is allowed accordingly.

16.12.2023

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(VIVEK PURI)
JUDGE

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