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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5453-2024 (O&M)

DATE OF DECISION : 30.05.2024

SAHIL

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Shivani Jaglan, Advocate &
Mr. Vishesh Dangi, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

* * *

HARPREET KAUR JEEWAN, J. (ORAL)

CRM-4751-2024

1. Allowed as prayed for.

Main case

2. 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. 207 dated 15.10.2023, registered under Sections 354, 452, 376(2)(n), 506 IPC at Police Station Bahuakbarpur, Rohtak.

3. Learned counsel for the petitioner *inter alia* contends that petitioner is 23 years of age and brother-in-law of the prosecutrix with no criminal antecedents. He has been falsely implicated in this case due to some misunderstanding.

4. Learned counsel for the petitioner further contends that even during the pendency of the present petition, a compromise has been effected which has been duly signed by the first informant and by the father of the petitioner on his behalf. Compromise deed (Annexure P-7) has even been verified by the Police.

5. State has filed the custody certificate reflecting the custody of the petitioner as 07 months and 10 days. Learned State counsel has further informed that the investigation is complete, challan has been presented and charges have been framed. Today, the verification report has been submitted by way of affidavit of Rajeev, HPS, Deputy Superintendent of Police, Kalanaur, District Rohtak, wherein it has been mentioned that the statement of the complainant and the witness has been recorded as Annexures R-1 and R-2. It has been verified that the compromise is genuine *inter se* the petitioner and the prosecutrix.

6. I have considered the aforesaid contentions.

7. Without expressing any opinion on the merits of the case and without expressing any opinion regarding the authenticity of the compromise, it is observed that investigation is complete, challan has already been presented, both the petitioner and prosecutrix are major, the prosecutrix is stated to be 36 years of age, there are 13 witnesses which are yet to be recorded, the conclusion of the trial is going to take time, no fruitful purpose would be served by keeping the petitioner in further custody. Therefore, the petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds/surety to the satisfaction of the trial Court/Chief Judicial Magistrate, concerned.

8. Pending miscellaneous application (s), if any, shall also stand disposed of.

30.05.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

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