

2024:PHHC:004907

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

254

CRA-S-1368-2023 (O&M)
Date of decision : 15.01.2024

Rahul Appellant
versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Sukhdeep Singh, Advocate
for the appellant.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. This is an appeal directed against order dated 03.04.2023, whereby the bail application filed by the appellant in FIR No.333 dated 19.08.2021, registered for the offences punishable under Sections 323, 307, 308, 452, 506 and 34 of IPC and Section 3 of SC/ST Act at Police Station Ladwa, District Kurukshetra, stands rejected.
 2. Co-accused Suresh Pal-father of the petitioner stands admitted to bail vide order dated 20.03.2023 passed in CRA-S-2665-2022. Petitioner is behind bars since 06.09.2021. The trial has proceeded considerably and the material witnesses including the doctor who proved the medical record of the victim as well as the complainant already stand examined.
 3. In view the incarceration suffered by the appellant and the fact that the material witnesses have already examined, there cannot be any apprehension that the appellant shall tamper with the evidence.
- Apart from this, custody of the petitioner cannot be allowed to be

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prolonged as punitive measure.

4. Thus, considering the incarceration already suffered by the petitioner, the present appeal is allowed. Appellant is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

5. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

6. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

15.01.2024

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No