



complainant is in a family way for one month. When she disclosed this fact to the appellant, then, he abused her. He also extended the threatening to abort the child and thus, prayed that legal action be taken against the appellant. Accordingly, on the basis of these facts, FIR in question was registered.

3. Learned counsel for the appellant *inter alia* contends that the complainant/prosecutrix is married lady having one child and she is in the habit of making similar complaints. Earlier also, she got registered one FIR against one Rajesh and he relies upon the judgment passed by learned Additional Sessions Judge, Bhiwani (Annexure A-2), whereby, the accused-Rajesh was acquitted by learned trial Court on 13.10.2023. Learned counsel further refers to medical record (Annexure A-3) and submits that the version of the prosecutrix is incorrect with regard to her pregnancy, a perusal of the medical record indicates that her pregnancy test was negative. Learned counsel further submits that the appellant is behind the bars since 13.09.2023 and he has undergone a custody period of more than 08 months and he is not involved in any other case.

4. Per contra, learned State counsel opposes the prayer of the appellant on the ground that the appellant is main accused and he has exploited the prosecutrix on the pretext of performing marriage with her and he has extended threats to her. Custody certificate filed by the respondent-State is taken on record.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the appellant is behind the bars for the last 08 months and 10 days as per the custody certificate as on 22.05.2024. The appellant is not involved in any other case and out of 16 witnesses cited by the prosecution, only one has been examined so far. As

such, the trial of the case is likely to take long time. Culpability, if any, would be determined at the time of the trial. No useful purpose shall be served by further detention of the accused/appellant.

6. In view of the above, the present appeal is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the appellant-Ankush is ordered to be released on regular bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed strictly in accordance with law, without being prejudiced by observations of this Court.

May 23, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No