



Sr. No.233

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

**CRM-M-32986-2024
Date of decision: 18th July 2024**

SUNIL KUMAR**Petitioner**

versus

STATE OF HARYANA**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prahyat Bhardwaj, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana,
assisted by ASI Attar Singh.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in case FIR No.399 dated 28.08.2023, under Sections 376(2)(n) IPC, 1860 (Sections 323, 328 IPC added later on), registered at Police Station Dabua, District Faridabad (Annexure P-1).
2. The FIR has been registered at the instance of the prosecutrix with the allegations that the petitioner has sexually abused her.
3. Notice of motion.
4. Mr. Kirpal Singh Thakur, AAG, Haryana accepts notice on behalf of respondent-State of Haryana.
5. Learned State counsel has filed custody certificate dated 17.07.2024, reflecting the period of custody of the petitioner as 10 months and 14 days.
6. The deposition of the prosecutrix, who is aged about 28 years, has already been recorded during the trial as per Annexure P-3, wherein, she has stated



that everything has happened with her consent. The petitioner is in custody for a period of 10 months and 14 days.

7. Investigation is complete. Challan/final report under Section 173 Cr.P.C. has been presented. The petitioner is in custody for a period of 10 months and 14 days. The trial will take some time to conclude. There is no apprehension of absconding of the petitioner during the trial, as such, without commenting on the merits of the case and keeping in view the above facts, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

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

(HARPREET KAUR JEEWAN)
JUDGE

18th July 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No