

Date of Decision: 11.09.2024

...Respondent

2. Learned counsel for the petitioner submits that the version of the complainant in the present case is highly unbelievable. He further contends that in the present case, the matter has been amicably resolved between the parties. He further submits that the petitioner was arrested in the present case on 19.05.2024 and after completion of the investigation, challan has already been presented before the competent Court of law. Learned counsel further contends that in the present case, the complainant has been examined as PW-1 and she



has not supported the case of the prosecution. Thus, further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. In the present case, the petitioner was arrested on 19.05.2024 and is in custody for the last about 4 months. After completion of the investigation, the challan has already been presented before the competent Court. Moreover, the complainant has already been examined as prosecution witness and has not supported the case of the prosecution, who has been declared hostile.

6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

11.09.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No