



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

220

CRM-M No.54425 of 2023
Date of Decision: 09.05.2024

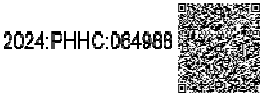
ASHU RANAPetitioner
Vs
STATE OF HARYANARespondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*
Present: Mr. Ankit Aggarwal, Advocate for the petitioner.

Mr. Rajiv Sidhu, D.A.G., Haryana.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.275 dated 04.08.2023 registered under Sections 323, 328, 452, 506 & 34 IPC (Section 452 deleted & 458, 120-B IPC added later on) at Police Station Butana, District Karnal.
2. Reply by way of affidavit of Vijay Kumar, HPS, Deputy Superintendent of Police, Women Safety, District Karnal on behalf of the respondent/State has been filed in the Court, which is taken on record.
3. Learned counsel for the petitioner submits that the petitioner has been implicated with the allegations of having pressed the mouth of victim/complainant with a pillow with the aid of wife of the victim, with whom he was allegedly having relationship.
4. The prayer made on behalf of the petitioner has been opposed by learned State counsel by referring to the serious nature of allegations leveled against the petitioner. Learned State counsel further submits that in the FSL report, chloroform has been detected in the body of victim/complainant and, thus, the



intent of wife of the complainant was to cause harm to the complainant and accordingly, the petitioner does not deserve the concession of regular bail. He also points out that there were number of calls between the petitioner and wife of the complainant.

5. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made by learned counsel for the petitioner.

6. In the present case, the investigation already stands concluded with the filing of challan followed by framing of charges on 22.11.2023. Out of total 15 prosecution witnesses, only 02 witnesses have been examined so far and the petitioner is behind the bars for almost 09 months, thus the trial is likely to take sometime in its culmination. Moreover, the petitioner is not involved in any other case of similar nature.

7. Considering the aforesaid facts, I do not find any justification to extend the incarceration of the petitioner.

8. Accordingly, without expressing any opinion 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 adequate bail bonds and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

9. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

May 09, 2024
Atik

(HARKESH MANUJA)
JUDGE

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