

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

CRM-M No.17228 of 2015
Date of Decision: 05.06.2015

Manjit @ Kalu

..... Petitioner

Versus

State of Haryana

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sandeep Kumar Yadav, Advocate,
for the petitioner.

Ms. Tanushree, DAG,
for the respondent.

1. To be referred to the reporters or not?
2. Whether the judgment should be reported in the digest?

RAJIV NARAIN RAINA, J.(Oral)

This is the petition under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case FIR No.166 dated 19.09.2014 under Section 323, 354-B, 452/34 IPC and 8 of POCSO Act, registered at Police Station, Ateli, District Mohindergarh.

Learned counsel for the petitioner contends that the reading of the FIR does not disclose any crime committed under POSCO Act. The incident relates to the petitioner and 3 other boys and 3 girls, who were caught by the boys with bad intention tried to put them into a vehicle. The boys did not succeed because there were 4 other co-villagers who came to the rescue of the girls.

Learned State Counsel does not dispute that the petitioner has been lodged in jail for over 6 months. He was in Central Jail on 09.12.2014. She submits that 13 witnesses have already been examined out of 18 and this is reason enough to deny regular bail.

In view of the totality of the circumstances and the nature of the allegations levelled in FIR and the trial is likely to take quite some time, the petitioner deserves to be granted a concession of bail pending trial. Court is informed that one of the accused has been granted bail while the other 2 are yet to be arrested.

On due consideration of the matter and without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to the bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Narnaul.

05.06.2015
Dinesh

(RAJIV NARAIN RAINA)
JUDGE