

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-2856 of 2015

.....

Date of decision:4.2.2015

Vijay

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Harish Mehla, Advocate for the petitioner.

Mr. Deepak Grewal, Deputy Advocate General, Haryana
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.171 dated 2.12.2014 (Annexure-P.1) registered for the offences under Section 354-D(1) IPC and Section 12 of the Prevention of Children from Sexual Offences Act, 2013 (hereinafter referred to as the 'POCSO Act') at Police Station Siwan, District Kaithal.

Notice of motion to Advocate General, Haryana.

On the asking of the Court, Mr. Deepak Grewal, learned Deputy Advocate General, Haryana has put in appearance and accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as

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learned Deputy Advocate General, Haryana appearing for the respondent-State and have gone through the record. Police record is also available.

The FIR has been registered for the offences under Section 354-D(1) IPC and Section 12 of the POCSO Act. The offence under Section 354-D(1) IPC is bailable, though, the offence under Section 12 of the POCSO Act is non-bailable.

The petitioner is no more required for any interrogation and investigation purposes as he is in judicial custody. Nothing is to be recovered from him. The petitioner is in judicial custody since 2.12.2014. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of this case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹30,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

February 4, 2015.

(Inderjit Singh)
Judge

hsp