

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 4094 of 2015 (O&M)
Date of decision : February 27, 2015

Rajesh,

..... Petitioner

v.

State of Haryana,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. John Kumar, Advocate
for the petitioner.

Mr. RK Makkad, DAG Haryana

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.559, dated 7.10.2014, registered under Sections 376, 452, 341, 506 of the IPC and Section 4 of the POCSO Act, at Police Station Hodal, District Palwal.

Counsel for the petitioner has argued that the petitioner has been in custody since 7.10.2014 and now the material witnesses i.e the prosecutrix and her mother as well as brother have resided during their testimony in the Court, and have completely exculpated the petitioner.

Counsel for the respondent has, however, argued that he is not in a position to verify whether the statements regarding the witnesses having turned hostile have been recorded.

Be that as it may, once statements have been made, I do not deem it appropriate to keep the petitioner in custody any further. Consequently, without commenting upon the merits of the case, the petitioner is directed to be released on regular bail by the trial Court to its satisfaction. It is, however, clarified that in case the above assertion is incorrect, it would be a ground for cancellation of bail.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

February 27, 2015
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