

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc.M-36872 of 2016 (O&M)
Date of Decision: 23.12.2016

Manoj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R.K. Saini, Advocate
for the petitioner.

Mr. S.K. Saini, AAG Haryana

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.320 dated 03.08.2016, under Sections 323, 452, 506, 354-A, 354-D of Indian Penal Code and Sections 8 and 12 of Protection of Children from Sexual Offences Act, registered at Police Station Sadar Hansi, District Hisar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 04.08.2016. It is also contended that no further investigation is required in the matter, since the challan has already been presented and charges have been framed. He submits that the matter has been taken up on two occasions before the trial

court thereafater, when no one has appeared for the prosecutrix and now the matter is listed for 03.02.2017 before the trial court, therefore, petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Dharampal, PS Sadar Hansi, opposes the bail application, while submitting that the offences alleged against the petitioner are serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that no recovery is to be effected from the petitioner, he is not required for any further investigation and no useful purpose would be served in keeping the petitioner behind the custody, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

December 23, 2016

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No