

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

Crl. Misc. No.M-43071 of 2015

Date of Decision: 06.04.2016

Akhlak Ali

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Manoj Kumar Sood, Advocate
for the petitioner.

Mr. Trishanjali Sharma, A.A.G., Haryana
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This is the second petition filed under Section 439 Cr.P.C for grant of regular bail to the petitioner during the pendency of trial in case FIR No.264 dated 28.04.2015 registered under Sections 354-D, 342, 506 IPC, Section 4 of POCSO Act and Section 3/4 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities), Act, 1989 at Police Station Mujessar, District Faridabad.

Learned counsel for the petitioner submits that no offence is made out against the petitioner and he has falsely been implicated in the case. There was delay of two months and 26 days in lodging of FIR. No offence is made out under POCSO Act. The petitioner is in custody since

28.04.2015 and no useful purpose would be served by keeping him in custody any further.

Learned counsel for the respondent-State submits that the trial is likely to be concluded as except one witness, all witnesses have been examined and the next date before the trial Court is fixed for 11.04.2016 only. Learned counsel also submits that the earlier petition filed by the petitioner was dismissed as withdrawn after arguments on 15.09.2015 and no ground is there in the present petition to release the petitioner on regular bail.

Heard the arguments of learned counsel for the parties and have also perused the allegations levelled in the FIR as well as other documents available on the file.

Admittedly, the petitioner had earlier filed **Criminal Misc. No.M-25715 of 2015** for grant of regular bail, which was dismissed as withdrawn as the Court was not inclined to grant bail to him. All witnesses, except one, have been examined and the trial is at the fag end. No new ground has been made out in the present petition.

Accordingly, the petition, being devoid of any merit, is hereby dismissed.

06.04.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE