

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

Crl. Misc.M-44903 of 2016 (O&M)
Date of Decision: 21.12.2016

Rohtash

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mohit Jaggi, Advocate
for the petitioner.

Mr. Sharad K. Yadav, DAG 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.69 dated 11.08.2016 under Sections 8 and 3 (punishable under Section 4) of Protection of Children from Sexual Offences Act, registered at Police Station Women, Yamuna Nagar.

It is contended that petitioner has been in custody since 14.08.2016, while further arguing that the offences as made out and punishable under Section 4 of the Protection of Children from Sexual Offences Act, are not made out and reliance has been placed on the MLR. Moreover, it is argued that the sole witness cited in the FIR has turned

hostile. The statement of complainant has been recorded and the trial is likely to take some time, thus, he is entitled to grant of regular bail.

Per contra, learned counsel appearing on behalf of respondent-State opposes the bail application, while submitting that 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 the statement of complainant has been recorded and there will be no useful purpose in keeping the accused in 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 21, 2016
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No