

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

Crl. Misc. M-13267 of 2017 (O&M)
Date of Decision: August 02, 2017

Rajan @ Shanty

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manish Verma, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG Punjab.

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.45 dated 04.08.2016, under Sections 376, 363 of Indian Penal Code read with Sections 4 and 6 of POCSO Act, registered at Police Station Women, Sector 5, Panchkula.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 11.08.2016. It is also contended that statement of prosecutrix has been recorded and only four witnesses are to be examined, who are official in nature, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, 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 that statement of prosecutrix has already been recorded, no useful purpose would be served in keeping the petitioner behind the custody. Therefore, at this stage, without commenting on the merits of the case, 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.

August 02, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No