

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

**CRM-M-28146-2017  
Date of decision: 23.08.2017**

**Shish Pal @ Bania**

**...Petitioner**

**Versus**

**State of Haryana**

**...Respondent**

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Amit Rana, Advocate,  
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Vinod Bhardwaj, Advocate,  
for the complainant.

**JAISHREE THAKUR, J. (Oral)**

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 11 dated 16.02.2016, under Sections 363, 366, 376(2)(D) & 506 of the Indian Penal Code and Section 4 of the POCSO Act, registered at Women Police Station, Kaithal, District, Kaithal.

Counsel for the petitioner argues that the co-accused, namely Robin and Garja, have already been granted the benefit of regular bail.

Mr. Vinod Bhardwaj, Advocate has put in appearance on behalf of the complainant and filed his *Vakalatnama*.

Grant of regular bail to the petitioner is opposed by counsel for the respondent-State as well as by counsel for the complainant who argue that the prosecutrix, in her statement under Section 161 Cr.P.C. and in the Court, has identified the petitioner herein which was not the case as

regarding the case of Garja.

I have heard learned counsel for the parties and in view of the fact that out of total 17 witnesses, 11 witnesses have been examined so far, let an effort be made to examine rest of the witnesses expeditiously. Let an effort be made by the trial Court to conclude the trial within a period of three months.

Petition stands disposed of.

However, in case the trial is not concluded within the stipulated time, the petitioner will be at liberty to file a bail application afresh.

August 23, 2017  
*Ansari*

(JAISHREE THAKUR)  
JUDGE

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*