

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

Crl. Misc. M-38684 of 2017 (O&M)
Date of Decision: December 11, 2017

Raghav Sharma @ Raja

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R.S. Mamli, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Sanjay Jain, Advocate
for the complainant.

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.75 dated 03.09.2016, under Sections 3, 4, 7 & 8 of POCSO Act and Sections 294, 328, 506, 120-B of Indian Penal Code, registered at Police Station Women Ambala.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 14.09.2016. It is submitted that the petitioner is falsely implicated in the present case. It is argued that co-accused Naresh Kumar and Harvinder Singh have already

been granted regular bail by this court on 07.10.2017 in CRM-M-23404 of 2017 and CRM-M-31642 of 2017 respectively. It is also contended that statement of the prosecutrix has been recorded, 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 and learned counsel appearing on behalf of the complainant oppose the grant of regular bail, however, does not dispute the fact that statement of prosecutrix has already been recorded.

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 petitioner herein has been in custody since 14.09.2016 and that statement of the prosecutrix has already been recorded, no useful purpose would be served in keeping the petitioner behind bars. 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.

December 11, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No