

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

**CRM-M-38721-2017
Date of decision: 20.12.2017**

Raju**...Petitioner**

Versus

State of Haryana**...Respondent****CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Charan Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

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. 104 dated 03.02.2017, under Sections 363 and 366-A of the IPC and Section 6 of the POCSO Act, registered at Police Station City Gurugram, District Gurugram.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 19.02.2017. It is also contended that since the trial is likely to take some time, the petitioner should be enlarged on regular bail.

Ms. Gaganpreet Kaur, AAG, Haryana, has appeared on behalf of the respondent-State and contested the bail application. Learned counsel for the respondent-State opposes the grant of regular bail to the petitioner on the ground that the allegations are very serious in nature.

I have heard learned counsel for the parties and perused the paper-book.

The statement of the prosecutrix has been recorded under Section 164 Cr.P.C., in which allegations of committing rape have been levelled against the petitioner herein, who is her step father. Hence, keeping in view the gravity of the offence and the fact that the young prosecutrix has supported the prosecution version, the petitioner is not found to be enlarged on regular. However, the wife of the petitioner is present in Court and submits that if the petitioner is not being granted regular bail, he may kindly be released for a limited period on interim bail so that they could get an appropriate accommodation.

In view of above, without making any comment upon the merits of the case, this petition is disposed of with a direction to respondent-State to release the petitioner on interim bail w.e.f. 21.12.2017 to 03.01.2018 only subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The petitioner is directed to surrender before the Jail Authorities on 04.01.2018 at 10.00 AM.

20.12.2017

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No