

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

Crl. Misc. M-39411 of 2017 (O&M)
Date of Decision: December 06, 2017

Ankul Yadav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Gaganpreet Kaur, AAG 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.1129 dated 11.10.2016, under Sections 363, 366-A of Indian Penal Code and Section 6 of POCSO Act (Section 6 of POCSO Act added later on, while deleting Section 4 of POCSO Act), registered at Police Station Gurugram Sadar, District Gurugram.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 27.10.2016. It is submitted that the petitioner is falsely implicated in the present case. It is also contended that out of total 19 witnesses, 05 witnesses have been examined including the prosecutrix and conclusion of trial is likely to take

sufficient time, therefore, petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail, while not disputing the fact statement of the prosecutrix has 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 27.10.2016 and that statement of the prosecutrix has 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 06, 2017

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No