

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

Crl. Misc. M-40020 of 2017 (O&M)
Date of Decision: December 06, 2017

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Bansal, 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.163 dated 26.06.2017, under Sections 363, 366-A of Indian Penal Code (offences under Sections 34/120-B of IPC and Section 6 of the POCSO Act added later on), registered at Police Station Israna, District Panipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 04.07.2017. It is submitted that the petitioner is falsely implicated in the present case. It is argued that statements of the prosecutrix and complainant have been recorded, in which they have not supported the prosecution version. It is also contended that 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 statements of the prosecutrix and complainant have been recorded, in which they have supported the prosecution version.

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 04.07.2017 and that statements of the prosecutrix and complainant have been recorded and both of them turned hostile, 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.

(JAISHREE THAKUR)
JUDGE

December 06, 2017
vijay saini

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No