

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

**CRM-M-41294-2017
Date of decision: 08.12.2017**

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P. K. Hooda, Advocate
for the petitioner.

Mr. P. P. Chahar, DAG, 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. 160 dated 17.07.2017, under Sections 452, 506 of the IPC and Section 8 of the POCSO Act, registered at Police Station Sadar Panipat, District Panipat.

Counsel for the petitioner, at the very outset, contends that though the petitioner has been named in the FIR by the mother of the young prosecutrix, however, in the statement as recorded by the prosecutrix, his name is not reflected. It is also contended that the petitioner has falsely been implicated in this case and he is in custody since 05.08.2017. Counsel for the petitioner submits that the petitioner should be enlarged on regular bail as the trial of the case is likely to take some time.

Mr. P. P. Chahar, DAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. He opposes the grant of regular bail in general, however, is not able to controvert the contention

raised by the counsel for the petitioner.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 05.08.2017 and the trial is likely to take some time, no useful purpose would be served in keeping him in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

08.12.2017

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No