

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

Crl. Misc. M-42148 of 2017 (O&M)
Date of Decision: November 17, 2017

Amarjeet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Mr. P.P. Chahar, DAG 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.334 dated 20.06.2016, under Sections 363, 366, 376-D, 506, 34 of Indian Penal Code and Section 6 of POCSO Act, registered at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 24.06.2016. It is argued that statements of the material witnesses have since been recorded and the mother of the deceased has not supported the prosecution version. It is submitted that father of the deceased, in an FIR No.337 dated 20.06.2016 lodged by him under Section 306/34 of Indian Penal Code, in which also the

petitioner had been arrested, has turned hostile. It is also contended that the petitioner is falsely implicated in the present case, therefore, he should be enlarged on regular bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the grant of regular bail, however, is not in a position to dispute the contention as raised by the counsel for the petitioner.

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 is in custody since 24.06.2016 and statements of material witnesses have 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.

November 17, 2017

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No