

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

CRM-M-42888-2017 (O&M)
Date of decision : 20.12.2017

Rahul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana,
assisted by SI Harmesh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.209 dated 17.07.2017, registered under Sections 342 and 506 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012, at P.S. Bhondsi, District Gurgaon.

Contends that the prosecutrix has been examined and she has not supported the case of the prosecution. He is in custody since 28.07.2017.

On the other hand, learned State counsel is unable to controvert the factual aspect of the matter. She, on instructions, submits that out of 23 prosecution witnesses, the complainant/prosecutrix already stands examined.

Heard.

Keeping in view the fact that the petitioner is behind the bars since 28.07.2017; the prosecutrix stands already examined; and 22 prosecution witnesses still remain to be examined, thus, the trial is not likely

to be concluded in the near future; this Court feels that no useful purpose would be achieved in keeping the petitioner behind bars.

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

20.12.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No