

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

**CRM-M-7645-2017
Date of decision: 20.07.2017**

Niranjan Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ram Malik, Advocate for
Mr. S. K. Panwar, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, 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. 49 dated 17.12.2015, registered under Sections 363, 366-A, 344 and 506 of the Indian Penal Code and Section 6 of the POCSO Act at Women Police Station, Palwal, District Palwal.

Learned counsel for the petitioner contended that the allegations, as made out in the FIR, were false and the petitioner has been implicated falsely. A DNA test was conducted and the report has been obtained from Forensic Science Laboratory, Madhuban, Karnal, according to which, the sample does not match with the petitioner. It is further submitted that petitioner is in custody since February, 2016.

Ms. Harpreet Kaur, AAG, Haryana, has appeared on behalf of the respondent-State and contested the bail application. She is not in a position to dispute the above facts.

I have heard learned counsel for the parties and in view of the

fact that the petitioner is in custody for more than a year and also that DNA report does not match with him, without going into the merits of the case and keeping in view the fact that the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

July 20, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No