

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

Crl. Revision No. 2769 of 2017 (O&M)
Date of Decision: October 4, 2017

Dharamender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. JS Hooda, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG Haryana.

Mr. Kapil Khanna, Advocate,
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant revision has been filed under Section 401 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 47 dated 11.4.2017, under Sections 120-B, 376 of Indian Penal Code and Section 4 of POCSO Act, registered at Police Station Women Police Station, District Palwal.

Learned counsel for the petitioner contends that the allegations against petitioner herein are vague in nature. In fact, the petitioner and the prosecutrix were well known to each other and the alleged incident is stated to have taken place over four years before registration of the FIR. Furthermore, the statement of the prosecutrix has been recorded and there are discrepancies thereon and, therefore, the 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 bail application, while submitting that the offences alleged against the petitioner are serious in nature and the prosecutrix has supported the prosecution version, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the inquiry is likely to take some time and in view of the fact that statement of the prosecutrix has been recorded, no useful purpose would be served in keeping the petitioner behind the custody. 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 bond to the satisfaction of concerned Principal Magistrate, Juvenile Justice Board/Duty Magistrate, Palwal.

October 4, 2017
prem

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No