

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

Crl. Misc. M-10869 of 2018 (O&M)
Date of Decision: March 20, 2018

Ravinder

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R.A. Sheoran, 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.84 dated 23.10.2017, under Sections 354(B), 376(2)(n), 450, 506 of Indian Penal Code and Section 6 of POCSO Act, registered at Police Station Women Bhiwani, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 09.11.2017. It is submitted that the petitioner is falsely implicated in the present case. It is also contended that all the material witnesses have been examined and they have not supported the case of the prosecution, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that all the material witnesses have turned hostile.

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 has been in custody since 09.11.2017 and that all the material witnesses have turned hostile and did not support the prosecution version, no useful purpose would be served in keeping the petitioner behind the 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.

March 20, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No