

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

**CRM-M-12561-2018
Date of decision: 30.04.2018**

Jahu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Saransh Sabharwal, Advocate,
for the petitioner.

Ms. Gaganpreet 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. 0081 dated 23.09.2017, under Section 6 of the POCSO Act and Sections 363 and 506 of the IPC (Section 366-A IPC added later on), registered at Police Station Mansa Devi Complex, District Panchkula.

It is contended by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and he is in custody since 25.11.2017. It is also contended that the allegations of rape are against co-accused Satpal and Chander Pal, however, accused Satpal, being minor, is on bail. Counsel for the petitioner submits that petitioner should be enlarged on regular as the trial is likely to take some time.

Ms. Gaganpreet Kaur, AAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. She opposes the grant of regular bail to the petitioner by submitting that the offences are of serious nature. She informs this Court that there are 13 witnesses, out of

which, only 01 witness has been examined.

I have heard learned counsel for the parties.

Since the petitioner is in custody since 25.11.2017 and the trial is likely to take some time, no useful purpose would be served in keeping him in custody furthermore. Hence, the present petition is accepted. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, any opinion expressed herein is for the purpose of grant of regular bail and not an opinion on the merits of the case.

30.04.2018

Waseem Ansari

**(JAISHREE THAKUR)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*