

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

Crl. Misc. M-19410 of 2018 (O&M)
Date of Decision: May 22, 2018

Raghunandan @ Raghu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Harish Mehla, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG 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.280 dated 05.08.2017, under Sections 376-D, 363, 366-A of Indian Penal Code and Section 6 of POCSO Act, registered at Police Station Pundri, Kaithal, Haryana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 14.08.2017. It is argued that there are material contradictions in the statement that has been made by the prosecutrix itself and as per Annexure P5, it has been noted that the prosecutrix is under the influence of her family and narrating a false story. It is submitted that the allegations as set out in the FIR are not supported by the FSL report. It is also contended that all the material

witnesses, including the complainant and the prosecutrix have been examined and the conclusion of trial will take sufficient time, 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 grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, does not dispute the fact that statements of the complainant and prosecutrix have been recorded.

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 14.08.2017 and that statements of the complainant and the prosecutrix have been recorded, no useful purpose would be served in keeping the petitioner behind 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.

May 22, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No