

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

Crl. Misc.M-20194 of 2018
Date of Decision: May 17, 2018

Nishan Singh @ Gurjant Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr.Madan Sandhu, Advocate
for the petitioner.

Ms.Gaganpreet Kaur, DAG, Haryana.

Mr.Rawat Singh Sidhu, Advocate for the complainant.

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.161 dated 17.11.2017, under Sections 363, 366-A, 376 of Indian Penal Code, and Section 4 of the Protection of Children from Sexual offence Act, 2012, registered at Police Station Siwan, Gurgaon, District Kaithal.

Learned counsel for the petitioner contends that it is a case where the prosecutrix voluntary left the company of the petitioner herein who has been taken into custody in the aforesaid FIR on 21.11.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the prosecutrix has turned hostile and did not support the prosecution version before the trial court and conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged

on bail.

Father of the prosecutrix is present in Court and did not oppose the grant of regular bail to the petitioner.

Per contra, learned counsel appearing on behalf of respondent-State, opposes the grant of regular bail to the petitioner, while submitting that the offences alleged against the petitioner are serious in nature, however, does not dispute the fact that the prosecutrix has 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 21.11.2017 and that the prosecutrix has turned hostile and did not support the prosecution version, 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 17, 2018

Anjal

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No