

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

CRM-M-22133-2018
Date of decision: 12.09.2018

Raju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.Aditya Yadav, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J.

1. This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the peitioner in case FIR No. 104 dated 03.02.2017 under Sections 363 & 366-A of IPC and Section 6 of POCSO Act, registered at Police Station City Gurugram.

2. Learned counsel for the petitioner contends that the petitioner herein has been in custody since 19.02.2017 and he has been falsely implicated in the present case. He further submits that the prosecutrix ran away to her maternal grandmother's house in Uttar Pradesh without informing her parents as she was mentally disturbed due to the ongoing altercations between her mother and her step father (petitioner herein). Further, it is submitted that since the maternal grandmother of the

prosecutrix was unhappy with the marriage of her daughter with the petitioner, she influenced the prosecutrix to make a statement against her step father (the petitioner herein). It is contended that all material witnesses have been examined including the prosecutrix and, therefore, he should be enlarged on regular bail.

3. Per contra, learned counsel appearing on behalf of the respondent-State submits that the trial is almost complete. It is also argued that the prosecutrix is now residing with her maternal aunt (Massi) under the orders of the Court and so is the mother who is residing partly with the Massi and partly in the matrimonial house and if the petitioner is released on bail, he would likely to be inimical and cause her grave injury.

4. I have heard learned counsel for the parties and find no ground is made out to release the petitioner herein on regular bail as the trial is likely to conclude since most of the witnesses have been examined.

5. In view of the above, no ground is made out to allow the concession of regular bail to the petitioner herein.

6. Dismissed.

7. However, while dismissing the instant petition for regular bail, the trial Court is directed to expedite the hearing in the trial and decide the same expeditiously.

12.09.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)

JUDGE

Yes.

No.