

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

Crl. Misc. M-22159 of 2018 (O&M)
Date of Decision: August 20, 2018

Satender @ Satyadass

...Petitioner

Versus

The State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Navneet Singh, 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.712 dated 22.11.2017, under Sections 363, 376, 506 of Indian Penal Code and Section 4 of POCSO Act, registered at Police Station City Palwal, District Palwal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 05.02.2018. It is argued that all the material witnesses have since been examined and even the DNA report has been received, in which no semen has been detected, 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, however, does not dispute the fact that material witnesses have been examined and that in the DNA report, no semen has been detected.

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 05.02.2018, that the material witnesses have been examined and that no semen has been detected in the DNA report, 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.

August 20, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No