

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

Crl. Misc.M- 23868-2018 (O&M)

Date of Decision: July 02, 2018

Sukhbir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R.S.Kundu, Advocate
for the petitioner.

Mr. P.P.Chahar, DAG, 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. 177 dated 02.06.2017, under Sections 363, 366-A, 328, 354 of Indian Penal Code and under Section 6 of the POCSO Act registered at Police Station Kalanaur District Rohtak.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 26.07.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the only allegation in the said FIR against the petitioner is that he gave liquor to the prosecutrix. It is further contended that there are no other allegations owing to Section 376 that has been attributed to him. It is also submitted that out of 14 cited witnesses, only

two have been examined and 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 two witnesses out of fourteen have been examined.

I have heard learned counsel for the parties.

Since the trial is likely to take some time and in view of the fact that that the petitioner herein has been in custody since 26.07.2017, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without expressing any opinion 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.

July 02, 2018

seema

(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No