

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

Crl. Misc. M-27862 of 2018 (O&M)  
Date of Decision: December 06, 2018

Ramesh

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Pankaj Bali, Advocate  
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

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**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.132 dated 02.03.2018, under Sections 365, 511 of Indian Penal Code and Section 10 of POCSO Act, registered at Police Station Gharaunda, Karnal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 03.03.2018. It is submitted that both the complainant and the prosecutrix have turned hostile and did not support the prosecution version. It is also contended that 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, however, does not dispute the fact that both the complainant and prosecutrix have 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 03.03.2018 and that both the complainant and prosecutrix have 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.

**December 06, 2018**

*vijay saini*

**(JAISHREE THAKUR)  
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No