

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

Crl. Misc.M-30245-2018 (O&M)
Date of Decision: July 26, 2018

Ravi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mahender Singh Chahal, 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.70 dated 05.06.2017, under Sections 363, 366-A, 376(2)(n) of Indian Penal Code, 6 of POCSO Act and 3(2) (v) of SC/ST Act, registered at Police Station Bahal District Bhiwani.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 08.06.2017 and there is an inordinate delay in the lodging of the FIR. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the main accused, who is a juvenile has also been granted bail by the Juvenile Justice Board, Bhiwani while further submitting that the

statement of the prosecutrix has been recorded and conclusion of trial will take sufficient time, therefore, the petitioner's custody is no longer required and he is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature ,however, she does not dispute the fact that the statement of the prosecutrix has been recorded.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 08.06.2017 and that the statement of the prosecutrix has been recorded, 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 26, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No