

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

Crl. Misc. M-31266 of 2018 (O&M)
Date of Decision: July 31, 2018

Rahul alias Chhotu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vikram Punia, 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.154 dated 24.03.2018, under Sections 363, 365, 376, 506 of Indian Penal Code and Sections 8, 4 of POCSO Act, registered at Police Station Ganaur, District Sonapat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 28.04.2018. It is argued that the main allegations in the FIR are against one Neeraj and the only role attributed to the petitioner herein is that he accompanied the prosecutrix and said Neeraj from her house till Alipur and thereafter, both the prosecutrix and Neeraj travelled to various other destinations. It is also

contended that investigation in the matter is complete and challan has been presented 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, however, does not dispute the fact that challan has been presented in the matter.

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 28.04.2018 and that investigation is complete as the challan has been presented, 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.

July 31, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No