

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

CRM-M- 31745-2018 (O&M)

Date of Decision: November 26, 2018

Vikas alias Vicky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gaurav Mohunta, Advocate with
Ms. Preeti Aggarwal, 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.177 dated 02.06.2017, under Sections 363, 366-A, 328 of Indian Penal Code and Section 6 of the POCSO Act, registered at Police Station Kalanaur, District Rohtak, Haryana.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 09.06.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the statement of the material witness i.e. The prosecutrix has been recorded and there is no medical report available to substantiate the claim and that the 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, she does not dispute the fact that the statement of the prosecutrix has since 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 09.06.2017 and that the statement of the prosecutrix has since been recorded, 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.

November 26, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No