

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No.M- 32522 of 2018 (O&M)
Date of decision : 17.10.2018**

Aman Rana @ Sonu

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Udeyveer Singh Rana, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking regular bail in FIR No. 583 dated 26.11.2017, registered under Sections 8 & 10 of the POCSO Act, Police Station Shahabad, District Kurukshetra.

Counsel for the petitioner contends that the petitioner is in custody since 26.11.2017 and all the prosecution witnesses have been examined and there would be a delay in disposal of the case as they are yet to lead evidence and they have a C.D. which will have to be proved. Counsel says that the case is of an attempt of molestation and the incident is in the house of the complainant and the petitioner and the mother of the victim were in a relationship and they have placed on record the C.D. and the transcript to show the conversation between the victim's mother and father of the petitioner and some part was recorded after the arrest of the petitioner and the victim's mother has admitted her voice in the cross-examination.

The bail application of the petitioner had been dismissed by the trial Court in July 2018 observing that the trial was at the final stages. Even after three months the trial is not over. The accused is yet to lead his evidence. The accused had produced a C.D. and the victim's mother was confronted with the conversation she had with the father of the accused. The trial would take more time and there is no question of tampering at this stage.

The petitioner is in custody for over 11 months. It will take more time for the trial to conclude. The prosecution witnesses have already been examined. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate with the condition that the petitioner would not contact the victim or her family in any manner.

17.10.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No