

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

Crl. Misc. M-35071 of 2018 (O&M)
Date of Decision: August 20, 2018

Rohtash

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG 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.396 dated 18.05.2018, under Sections 346, 363, 366-A, 506 of Indian Penal Code and Section 4 of POCSO Act, registered at Police Station Assandh, District Karnal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 26.05.2018. It is argued that the petitioner and the prosecutrix were in fact well known to each other and she left in the company of the petitione on her own accord. It is also contended that in her initial statement recorded on 21.05.2018, she has clearly stated that she had left by her own accord. It is also submitted

that investigation is complete in the matter, as the challan has been presented, 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 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 26.05.2018 and that the 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.

August 20, 2018

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No