

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

Crl. Misc. M-4708 of 2018 (O&M)
Date of Decision: March 19, 2018

Amrao @ Golu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Shakti 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.313 dated 24.05.2017, under Sections 363, 366-A, 452 of Indian Penal Code and Section 4 of POCSO Act, registered at Police Station Assandh, Karnal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 26.05.2017. It is submitted that the petitioner is falsely implicated in the present case. It is also contended that both the prosecutrix and her mother have turned hostile and did not support the prosecution version, 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 both the prosecutrix and her mother have turned hostile.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time to conclude and in view of the facts that the petitioner herein has been in custody since 26.05.2017 and that both the prosecutrix and her mother have turned hostile, 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.

March 19, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No