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

CRM-M No.49447 of 2018 (O&M)
Date of Decision: 16.11.2018

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..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Yadvinder Gupta, Advocate
for the petitioner.

Mr. D. R. Singla, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The petitioner herein has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.45 dated 21.05.2018, under Section 6 of POCSO Act and Section 506 of Indian Penal Code, registered at Police Station Women Ambala, District Ambala.

Learned counsel for the petitioner, at the outset, contends that the allegations made in the FIR are not sustainable. It is also contended that the prosecutrix has since been examined before the Special Judge on 18.09.2018 and she has not supported the version of the prosecution and in fact, she has turned hostile. He prays that the petitioner be admitted to regular bail.

Learned counsel for the respondent-State, on instructions

from the Investigating Officer, opposes the bail application by contending that the petitioner herein has been in custody on account of a *heinous* crime that has been committed by him.

Without going into the merits of the case and keeping in view the fact that prosecutrix has not supported the version of the prosecution, has turned hostile, the statements of the material witnesses have been examined and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

November 16, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No