

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

Crl. Misc. M-7486 of 2018 (O&M)
Date of Decision: March 22, 2018

Ajay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Abhimanyu 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.41 dated 20.01.2018, under Sections 363, 366-A and 120-B (later on deleted) of Indian Penal Code and Section 8 of POCSO Act, registered at Police Station Nuh, District Nuh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 30.01.2018. It is submitted that the petitioner is falsely implicated in the present case. It is argued that in fact, daughter of the complainant has admitted to having left the parental home of her own accord. It is also contended that investigation is complete, as the challan has been presented and conclusion of trial will

take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

At this stage, Mr. Saleem Ahmed, Advocate puts in appearance on behalf of complainant and files the power of attorney, which is taken on record.

Learned counsel appearing on behalf of respondent-State, on instructions from Investigating Officer as well as counsel for the complainant, oppose the grant of regular bail to the petitioner, however, does not dispute the fact that challan has already 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 30.01.2018 and that 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.

March 22, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No