

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-40060 of 2019

Date of Decision: 25.09.2019

Sakeel

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Kunal Dawar, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.98 dated 01.12.2018 under Sections 363, 450, 506 IPC and Section 6 POCSO Act registered at Police Station Women, NIT, Faridabad.

Learned counsel for the petitioner has relied upon order dated 19.08.2019 passed by this Court in CRM-M-22381-2019 *Aashik Vs. State of Haryana*, wherein, in similar circumstances, co-accused Aashik has been admitted on bail. He submits that the prosecutrix is improving her version time and again. Initially, another co-accused Hari Bhagat was found innocent in the case and accordingly, he was discharged. However, on an

application filed under Section 319 CrPC, the prosecution has summoned said Hari Bhagat to face trial and therefore, the said order is under challenge before this Court by way of CRM-M-20603-2019. He further submits that said Hari Bhagat has also filed CRM-M-26883-2019, wherein interim bail was granted to him by this Court vide order dated 05.07.2019 and the same was made absolute on 19.09.2019.

Learned State counsel does not dispute the fact that similarly placed co-accused have been admitted on bail by this Court.

I have heard learned counsel for the parties.

Considering the fact that co-accused of the petitioner have already been admitted on bail and the petitioner is in custody since 14.12.2018 and trial in the case will take sufficiently long time, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

September 25, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No