

**213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No. 46066 of 2019

Date of decision : November 01, 2019

Devender alias Kaliya

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sharad Choudhary, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana
assisted by ASI Pawan Kumar.

GURVINDER SINGH GILL J. (ORAL)

1. Petitioner-Devender alias Kaliya, seeks grant of regular bail in a case registered vide FIR No.118, dated 25.05.2019, registered at Police Station Badhra, District Charkhi Dadri, under Section 306 read with Section 34 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
2. The FIR was lodged at the instance of Balwan Singh wherein it has been alleged that his daughter Priyanka used to remain disturbed as the petitioner, who resides in the neighbourhood had been troubling her. It is alleged that ultimately the complainant's daughter being fed up ended her life by consuming poison.
3. Learned counsel for the petitioner has submitted that the FIR came to be lodged due to some misunderstandings and that in fact when the complainant and other witnesses were examined by the trial Court, they have not supported the case of the prosecution at all and have virtually given a

clean chit to the petitioner.

4. The aforesaid position as regards resiling of witnesses is not disputed by the learned State counsel. It has also been informed that the petitioner has been behind bars since the last more than five months.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and the fact that the material witnesses already stand examined, who have not supported the case of the prosecution, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner-Devender alias Kaliya is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

November 01, 2019

sarita

Whether speaking / reasoned : Yes / No

Whether Reportable: Yes / No

(GURVINDER SINGH GILL)
JUDGE