

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-46208 of 2019

Date of Decision: 15.11.2019

Satish

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

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

Present:- Mr. Vishwajeet, Advocate for
Mr. Vikram Singh, 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.102 dated 30.05.2018 under Sections 420, 506, 323, 34 IPC and Sections 6 and 10 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(2)(v) of the SC/ST Act, 1989 registered at Police Station Women Jind, District Jind.

Learned counsel for the petitioner has argued that the petitioner is in custody since 01.06.2018 and the prosecutrix has not supported the case of the prosecution. Rather, she has been declared hostile. He has referred to statement of the prosecutrix Annexure P-1.

Learned State counsel does not dispute the custody of the petitioner and the fact that the prosecutrix has been declared hostile.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 01.06.2018 and the prosecutrix has been declared hostile and culpability of the petitioner is yet to be established during trial, which is no going to be concluded in near future, 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 bail bonds/surety bonds to the satisfaction of trial Court.

November 15, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No