

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

CRM-M- 1762-2020 (O&M)

Date of Decision: January 21, 2020

Manmit alias Manjeet

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Kumar Yadav , Advocate
for the petitioner.

Ms. Trishanjali Chopra, Asst. A.G., 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. 63 dated 31.05.2019, under Section 366-A of Indian Penal Code and Section 4/18 of the POCSO Act (later on added Section 376 IPC), registered at Police Station Narnaul, District Mohindergarh.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.06.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that statement of the prosecutrix has been recorded in which she has not supported the version of the prosecution and that conclusion of trial will take sufficient time, therefore, the petitioner is

entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer opposes the grant of regular bail to the petitioner, however, is not in a position to dispute the fact that the prosecutrix has turned hostile.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 01.06.2019 and that the prosecutrix has not supported the version of the prosecution and has turned hostile, 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. However, anything observed or said by this Court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no bearing on the merits of the case. However, anything observed or said by this Court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no bearing on the merits of the case.

January 21, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No