

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

CRM-M-4371-2020
Decided on : 05.02.2020

Satender Singh Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Deepender Singh, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.276 dated 07.05.2019 registered under Section 346 IPC (Section 506 IPC and Section 6 of POCSO Act and Section 3 of SC/ST Act added later on) at Police Station Palla, District Faridabad.

Learned counsel for the petitioner contends that the petitioner and the prosecutrix were in a relationship and a perusal of the allegations levelled in the FIR in question also reflect that it was in fact a consensual relationship between the two. It has been submitted that the petitioner is behind bars since 10.05.2019 and no useful purpose would be served by keeping the petitioner behind bars. He further submits that 9 out of 18 prosecution witnesses including the prosecutrix have been examined so far.

On the other hand, learned State counsel while opposing the grant of regular bail to the petitioner, submits that in the statement under Section 164 Cr.PC recorded before the Court the prosecutrix, aged 17 years, stated that it was under threat, she accompanied the petitioner on the fateful

day. Learned State counsel has not been able to controvert the fact that 9 out of 18 prosecution witnesses have been examined so far.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is behind bars since 10.05.2019 and the trial is unlikely to be concluded in the near future, no useful purpose would be served by keeping the petitioner in custody. In the circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

05.02.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No