

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-5650-2020

Date of Decision:13.02.2020

Umarshed

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Tushar Gautam, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.181 dated 25.11.2019 under Section 8 of the Protection of Children from Sexual Offences Act, 2012, registered at Women Police Station, Mewat at Nuh.

Learned counsel for the petitioner while making reference to the statement of the prosecutrix recorded under Section 164 Cr.P.C. submits that in her statement, the prosecutrix has nowhere named the petitioner despite the fact that the petitioner is otherwise known to the family of the prosecutrix. Petitioner is in custody since 08.01.2020. Trial in the case is not likely to be concluded in the near future.

Learned State Counsel, on instructions from ASI Manoj Kumari, does not dispute the custody period. However, she submits that victim in the case is 14 years old girl and in the initial version on the basis

of which the present FIR has been registered, mother of the prosecutrix has specifically named the petitioner.

Heard learned counsel for the parties.

Petitioner is in custody since 08.01.2020. The prosecutrix in her statement recorded under Section 164 Cr.P.C. has not made any specific allegation against the petitioner as regards molestation, despite the fact that the parties are otherwise known to each other. Trial in the case is not likely to be concluded in the near future, thus, this Court deems it appropriate to admit the petitioner on bail.

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

However, the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

February 13, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No