

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

CRM-M-5911-2020

Date of decision : 14.02.2020

Resham Singh

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Monisha Lamba, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana
assisted by ASI Karambir.

MANJARI NEHRU KAUL, 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.96, dated 04.04.2019, under Sections 346 of IPC (Sections 344, 363, 366-A, 376(2) IPC and Section 4 of the POCSO Act added later on), registered at Police Station City Ratia, District Fatehabad.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the instant FIR and the factum of his false implication is substantiated from the fact that the victim did not support the case of the prosecution and was declared hostile during trial.

3. Learned State counsel, while opposing the prayer for regular bail has not been able to controvert the factum of the victim having been turned hostile.

4. Having considered the submissions made by either side, further detention of the petitioner will not serve any useful purpose as the trial is unlikely to conclude in the near future. The petitioner has been admittedly behind bars since 01.05.2019, i.e. for about more than nine months. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate concerned. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

14.02.2020

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No