

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

**CRM-M-6634-2020
Decided on : 20.02.2020**

Irfan

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Mohd. Arshad, Advocate
for the petitioner(s).

Mr. Ashish Sanghi, DAG, Haryana
assisted by ASI Chander Pal.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 175, dated 07.09.2019, under Sections 148, 149, 323, 506 IPC and Section 8 of POCSO Act, 2012, registered at Police Station Rojka Meo, District Nuh.

Learned counsel for the petitioner *inter alia* contends that the occurrence emanates from a quarrel which took place between co-accused Juned and Mosim, who were studying in the same school and the petitioner in fact had no connection with the incident in question. It has also been contended that the petitioner has not been charged under Section 8 of the POCSO Act, 2012 and has been charged only under Sections 323 and 506 of IPC.

Learned State counsel while opposing the grant of concession of regular bail to the petitioner, could not dispute the fact that the petitioner had been charged only under Sections 323 & 506 of IPC and not under Section 8 of the POCSO Act, 2012.

Heard.

Having considered the submissions made by either side, the petitioner has been behind bars admittedly since 09th September, 2019 i.e. for more than 5 months, hence, further detention of the petitioner will not serve any useful purpose. 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

February 20, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*