

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.7613 of 2020

Date of Decision:26.02.2020

Harish Chauhan

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Arun Singal, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

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JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in case FIR No.501 dated 30.08.2019 registered under Section 376(2)(N), 506 IPC and Section 6 of POCSO Act at Police Station Quilla, Panipat.

Learned counsel for the petitioner herein would contend that the petitioner, who is in custody since 20.09.2019 has been falsely implicated in the present case as would be evident from the fact that statement of prosecutrix has been recorded wherein she has not supported the case of prosecution and turned hostile, therefore, petitioner is entitled for concession of bail.

Learned counsel for the respondent-State on instructions from IO admits to the factum of recording statement of the prosecutrix wherein she has turned hostile.

I have heard learned counsel for the parties.

Since no further investigation is required and statement of

prosecutrix has already been recorded wherein she has not supported the case of prosecution and turned hostile, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/ surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

February 26, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No