

238.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9601-2020 (O&M)

Date of decision: 12.03.2020

Aman

... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Jai Vir Yadav, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.284 dated 29.05.2019 registered under Section 8 of POCSO Act and Section 34 of IPC at Police Station 9-A, Gurugram.

Learned counsel for the petitioner has relied upon order dated 27.01.2020 passed by this Court in **CRM-M-43304-2019** titled as ***Ashutosh Kataria @ Ashu Versus State of Haryana***, wherein for the similar set of allegations, the bail granted to the co-accused, was made absolute. He has argued that the petitioner is in custody since 29.05.2019 and the prosecutrix in the case has been examined as PW-5. She has not supported the case of the prosecution and rather declared hostile.

Learned State counsel does not dispute the aforesaid facts.

I have heard learned counsel for the parties.

In view of the fact that the co-accused has been admitted on bail by this Court in ***CRM-M-43304-2019 (supra)***, and the prosecutrix has been examined in the case and she has not supported the case of the prosecution and rather declared hostile, 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.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

12.03.2020

manju

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No