

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

CRM-M-11410-2020

Date of Decision: 21.5.2020

Dipu @ Deepak

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Gautam Dutt, Advocate, for
Mr. Balraj Gujjar, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. Case is taken up for hearing today through video conferencing due to pandemic of COVID-19.

2. This is the first petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner pending trial in case FIR No. 127 dated 24.07.2019 under Sections 506 IPC and 4 of POCSO Act, 2012, registered at Police Station Women, NIT, Faridabad, Haryana.

3. Heard.

4. Notice of motion to the Advocate General, Haryana.

5. Mr. Vikrant Pamboo, DAG Haryana, appears on behalf of the State of Haryana.

6. Learned counsel for the petitioner contends that two material witnesses i.e. prosecutrix and her mother (witness No.9) have been turned hostile.

7. Counsel representing the State of Punjab has opposed

application for bail and submits that the challan has been presented on 11.09.2019 and out of 12 witnesses, 10 witnesses have been examined. The petitioner is in custody since 27.9.2019.

8. I have heard learned counsel for the parties and gone through the paper-book.

9. Having heard learned counsel for the parties and without any opinion on merits of the case, I am of the considered view that no useful purpose would be served by keeping the petitioner in jail. The petitioner is in judicial custody for the last 8 months. It appears to be a fit and proper case for grant of bail pending trial.

10. In view of the above, this petition is allowed. The petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

(RAJIV NARAIN RAINA)
JUDGE

21.5.2020

monika

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No