

S.No.207

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

CRM-M-15339 of 2020 (O&M)

Date of Decision:01.07.2020

Pargat @ Jaspinder Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Gurdarshan S. Sidhu, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.308 dated 15.12.2019 registered under Sections 354-A, 354-D, 341, 506 IPC and Section 8, 12 of POCSO Act, at Police Station Kalanwali, District Sirsa.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, there are no allegations of sexual assault by the petitioner. The co-accused of the petitioner have already been released on bail. The case of the petitioner is almost at par with the co-accused. The challan has already been filed in the case; and the petitioner is not required for any investigation purposes. It is also submitted by the counsel for the petitioner that the maximum punishment for any offence alleged against him is five years, whereas, the petitioner has already undergone about six months of custody. Hence, the petitioner deserves to be released on bail.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State.

Learned State Counsel, on instructions from Sub Inspector Data Ram, submits that the name of the petitioner is specifically mentioned in the FIR. There are specific allegations against him. However, it is not disputed that the co-accused of the petitioner have been granted bail and that the allegations against the present petitioner are almost at par with the allegations against the co-accused. It is also not disputed that the petitioner is in custody since 17.12.2019 and the challan has already been filed.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

July 01, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No