

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

205

CRM-M-16066-2020

Date of Decision: 28.09.2020

RAVINDER @ DAVINDER

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Satbir Singh Gill, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Ravinder @ Davinder** in case F.I.R. No.14 dated 09.03.2020 under Sections 342, 354-A, 363, 366-A, 376 (2)(n), 376-D and 506 IPC and Sections 6 and 8 of POCSO Act registered at Police Station Women Police Station, Dabwali, District Sirsa.

Reply filed by respondent-State and status report as received from trial Court are taken on record.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that a bare perusal of statement of prosecutrix recorded under Section 164 Cr.P.C. gives an impression that she was having affair with

petitioner. He further submits that prosecutrix when appeared in the witness-box as PW-1 claimed herself to be aged 20 years and further during the course of her testimony, she has totally resiled from the prosecution version. He further urges that even otherwise at the time of medico-legal examination, prosecutrix had stated her age to be 17½ years and at that time, no injury mark was detected on her person. He further submits that petitioner is in custody since 09.03.2020 and he is no more required by the Police for any investigation purpose. He further submits that challan has already been presented in the Court and trial has commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the reply furnished at the instance of respondent-State as well as status report as received from Court concerned.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 09.03.2020 and that trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further,

CRM-M-16066-2020 :3:

thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Ravinder @ Davinder** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Sirsa, as the case may be.

28.09.2020

rimpal

(LALIT BATRA)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No