

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

CRM-M-17115-2020

Date of decision : 28.07.2020

Sachin

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.N.S.Dhillon, Advocate, for the petitioner.

Mr.Gurbir Singh Dhillon, AAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.415 dated 27.12.2019, registered under Section 4 of the Protection of Children from Sexual Offences Act, 2012, Sections 363, 366A, 506 IPC (Section 120-B IPC added later on) and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 at Police Station Sadar, District Jind.

Seeking regular bail for the petitioner learned counsel submitted that the petitioner is a young man aged 19 years; he was having an affair with the complainant which was not approved by her mother occasioning the filing of the false FIR against the petitioner; there is 25 days unexplained delay in lodging of the FIR; he is not involved in any other criminal case; he is in custody for the last seven months; report under Section 173 Cr.P.C. has been filed and therefore, he is not in a position to influence the investigation and that the trial which is yet to commence is likely to take a long time to conclude.

Learned State counsel opposes the grant of regular bail to the petitioner on the ground that he has committed a heinous crime.

Whether the petitioner has been falsely implicated in the present case and the effect of the delay in lodging of the FIR shall be deciphered only at the end of the trial. However, the petitioner is a young man aged 19 years; he is not involved in any other criminal case; he is in custody for the last seven months; report under Section 173 Cr.P.C. has been filed and therefore, he is not in a position to influence the investigation and the trial which is yet to commence is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Jind the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

28.07.2020

shamsher

[DEEPAK SIBAL]

JUDGE

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