

S.No.209

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

CRM-M-19147 of 2020 (O&M)

Date of Decision:29.09.2020

JuberPetitioner

Vs.

State of HaryanaRespondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Saleem Ahmed, Advocate for the petitioner.
Mr. Arun Beniwal, DAG, Haryana.
Mr. Talim Hussain, Advocate for the complainant.

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.27 dated 18.01.2020 registered under Sections 365, 506, IPC and Section 4 of POCSO Act (in report under Section 173 Cr.P.C Section 6 of POCSO Act, 2012 has been wrongly written) at Police Station Ferozepur Jhirka, District Nuh.

As prayed for by learned counsel for the petitioner, payment of court fee is exempted.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner has never indulged in the crime alleged against him. The petitioner is in custody since 07.03.2020. The investigation of the case is complete. The petitioner is not required for investigation purpose.

Learned State Counsel, on instructions from ASI Sarita, has made the statement in the first instance, that the status report pursuant to the

previous order could not be filed. However, there are allegations against the petitioner. The prosecutrix had supported the version even in her statement under Section 164 Cr.P.C. However, it is not disputed that the investigation of the case is already complete and that the petitioner is in custody since 07.032020.

Learned counsel for the complainant has submitted that the allegations against the petitioner had emerged due to some misunderstanding between the parties. Now, the complainant or her father, none of them have any objection if the petitioner is released on bail.

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.

September 29, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No