

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.205

CRM-M-20504-2020

Date of decision : 9.9.2020

Manjeet @ Miti

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Manjeet Kaur, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.225 dated 8.9.2019, registered at Police Station Sadar Narwana, District Jind, under Sections 377, 506 and 511 IPC (but Section 377 and 511 IPC has been reduced and Section 6 of the POCSO Act, 2012 added in the final report after investigation, but the trial Court has framed charge under Section 8 of the POCSO Act, 2012 instead of Section 6 of POCSO Act, 2012 due to delay of two days lodging the FIR).

Learned counsel for the petitioner submits that the petitioner has been in custody for more than 11 months now. The trial is not likely to be concluded at an early date, as examination of PW(s) has not yet commenced. Similarly, situated co-accused, namely, Vikram @ Vicky, has been granted regular bail by this Court vide order dated 13.8.2020 passed in CRM-M-21316-2020. Thus, the petitioner may be released on regular bail.

Custody certificate dated 8.9.2020 has been presented by learned State counsel in Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 11 months and 29 days and there is no other criminal case pending against

Learned State counsel concedes that co-accused, namely, Vikram @ Vicky, similarly situated as the petitioner, has been granted regular bail by this Court vide order dated 13.8.2020 passed in CRM-M-21316-2020.

Keeping in view the fact that the trial is not likely to be concluded at an early date as well as the principle of parity, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

(SUDHIR MITTAL)
JUDGE

9.9.2020

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No