

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-21075-2020 (O&M)
Date of Decision:- 30.7.2020

Balram

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aditya Yadav, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.127 dated 4.10.2019, Women Police Station, Narnaul, under Sections 341, 506 IPC and Section 6 of POCSO Act.
2. The learned counsel for the petitioner has submitted that the FIR came to be lodged due to some misunderstanding and that when the victim stepped into the witness box she has absolutely resiled from her statement. The learned counsel in this regard has drawn the attention of this Court to the statement of the victim (Annexure P-2)

recorded during the course of the trial wherein she has not supported the case of the prosecution at all.

3. Opposing the petition, the learned State counsel has submitted that since the victim is aged barely 10 years, no case for grant of bail is made out. It has however, been informed that the petitioner has been behind bars since the last about 10 months.
4. Having regard to the facts and circumstances of the case especially the fact that the victim has not supported the case of the prosecution and that the petitioner has been behind bars since the last about 10 months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

July 30, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No