

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

CRM-M-23494-2020 (O&M)

Date of Decision: 27.08.2020

Sachin

... Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Balraj Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.300, dated 01.05.2020, under Sections 363/366-A/368 IPC and Section 6 of the POCSO Act, registered at Police Station Model Town Rewari.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Satinder Saini/father of the victim. Allegations are with regard to the prosecutrix having been abducted and subsequently being sexually assaulted on the intervening night of 30.04.2020 and 01.05.2020.

As per prosecution version, the presence of the petitioner herein along with main accused Aman stands recorded in a CCTV footage.

However, there is no allegation against the present petitioner as regards subjecting the victim to sexual abuse. Such allegations are against main accused, Aman, who was a juvenile and has been granted benefit of bail.

Even, as per prosecution version, the present petitioner along with Jatin and Sandeep were standing guard outside the room where the victim had been subjected to sexual abuse.

Co-accused, Jatin and Sandeep have been granted benefit of bail by this Court in the light of order dated 11.08.2020 passed in CRM-M-20645-2020.

Counsel for the petitioner during the course of hearing has adverted to the statement recorded of the victim under Section 164 Cr.P.C. and wherein she has clearly stated that Sachin (present petitioner), Jatin and Sandeep have not sexually assaulted her.

Investigation in the case is complete and the challan already stands presented.

Petitioner was arrested on 01.05.2020.

Trial is at the initial stage and would take time to conclude particularly keeping in view the current Covid-19 situation.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Disposed of.

27.08.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |