

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

Sr. No.216

**Crl. Misc. No.M-31000 of 2020
DATE OF DECISION: 27.10.2020**

HARDAM SINGH

..PETITIONER

VERSUS

STATE OF HARYANA

..RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Gurdarshan S. Sidhu, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 05 dated 27.01.2020 registered at Women Police Station Dabwali, District Sirsa, under Sections 323, 328, 365, 376-D, 506 of IPC and Section 6 of POCSO Act, 2012.

Learned counsel for the petitioner submits that the petitioner has not been named in the FIR and has been named as an accused only on the basis of suspicion. The trial is not likely to be concluded at an early date as even charges have not been framed till date. There is one other case pending against the petitioner in which he has been granted regular bail. Thus, the petitioner may be granted regular bail in this case also.

Custody certificate dated 24.10.2020 produced in Court. The same is taken on record. According to this certificate, the petitioner has

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undergone actual custody of 08 months and 14 days and there is one other case pending against him in which he is on bail.

Learned State counsel concedes that the charges have not yet been framed.

Thus, it is evident that the trial is not likely to be concluded at an early date. The petitioner is on bail in other pending case. A perusal of the FIR shows that there is no specific allegation against the petitioner and that registration of the FIR under Section 376-D IPC as well as Section 6 of POCSO Act, 2012 appears to be far-fetched.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

27.10.2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No