

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

**CRM-M-43054-2019 (O&M)
Decided on : 31.01.2020**

Mukesh Bansal

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Ashit Malik, Advocate
for the petitioner(s).

Mr. D.R. Singla, DAG, Haryana.

MANJARI NEHRU KAUL, J.

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 528, dated 28.06.2018, registered under Sections 365, 366A, 376, 354A IPC and Sections 6 & 8 of the POCSO Act, 2012, registered at Police Station Sonapat City, District Sonapat.

Learned counsel for the petitioner submits that three material witnesses i.e. the victim and her parents did not support the case of the prosecution. In support thereof, statements of all the three witnesses have been annexed as Annexures P-1 to P-3 along with the instant petition.

Learned State counsel on the other hand submits that no doubt the material witnesses have not supported the case of the prosecution, however, there are serious allegations leveled against the petitioners, for which, he does not deserve the concession of regular bail.

Having considered the submissions made by either side, the petitioner has been behind bars admittedly since 05.09.2018 i.e. almost one year. The star witness i.e. the prosecutrix has already been examined,

hence, further detention of the petitioner will not serve any useful purpose.

The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 31, 2020

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No