

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

CRM-M-45934-2019 (O&M)
Decided on : 07.02.2020

Sandeep

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

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

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.616 dated 15.10.2018 registered under Section 328 IPC and Section 6 of POCSO Act and Section 3(2)(v) of SC/ST Act at Police Station Safidon, District Jind.

Learned counsel for the petitioner contends that no specific allegations have been levelled against the petitioner in the statement recorded before the Court under Section 164 Cr.PC by the prosecutrix. It has also been contended that the petitioner is behind bars for since 24.10.2018 and only 9 out of 25 prosecution witnesses have been examined. Hence, no useful purpose would be served by keeping the petitioner behind bars.

On the other hand, learned State counsel while opposing the grant of regular bail to the petitioner does not controvert the fact that no allegations were levelled against the petitioner by the victim in her statement under Section 164 Cr.PC. He on instructions from SI Gyatri Devi

submits that 9 out of 25 prosecution witnesses including the victim have been examined.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is behind bars since 24.10.2018 and the trial is unlikely to conclude in the near future, no useful purpose would be served by keeping the petitioner in custody. In the circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

07.02.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No