

231.

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

CRM-M-50834-2019

Date of decision: 05.03.2020

ANKIT

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. J.P. Sharma, Advocate, for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.284 dated 09.09.2019 registered under Sections 363/366-A/120B of IPC and under Section 4 of POCSO Act, 2012 at Police Station Kanina, District Mohindergarh.

The aforesaid FIR was registered at the behest of the complainant who is the maternal uncle of the victim. As per the FIR, the victim, who is a student of 9th class and studying in Unhani Primary School, was enticed away by the co-accused Satish from the school on 07.09.2019 at about 12.30 PM.

Learned counsel for the petitioner has argued that the petitioner is cousin brother of the main accused Satish and the allegation against him that he has paid Rs.1,500/- from his mobile phone in the account of Hotel VRS, Gurugram which was booked by the co-accused Satish. The petitioner

is in custody since 26.09.2019. Challan in the case has been presented and trial will take long time.

Learned State counsel does not dispute the custody. However, she submits that the petitioner was instrumental in getting the room booked by making payment from his mobile and in this manner, he facilitated the commission of crime.

I have heard learned counsel for the parties.

Petitioner is in custody since 26.09.2019. There is no allegation against him for commission of the offence under Section 4 of POCSO Act. The allegation against the petitioner is that he had paid a sum of Rs.1,500/- from his mobile for a hotel reservation. The trial in the case will take sufficient long time. Thus, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

05.03.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No