

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-51120 of 2019

Date of Decision: 06.02.2020

Pankaj Kumar

...Petitioner (s)

Versus

State of Haryana

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Naveen Thakur, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.165 dated 25.05.2018 under Sections 323, 365 IPC and Sections 6 and 7 POCSO Act registered at Police Station Taraori, District Karnal.

The earlier petition i.e. CRM-M-15254-2018 filed by the petitioner was dismissed as withdrawn vide order dated 24.10.2019.

Learned State counsel submits that as against the 16 witnesses cited by the prosecution, 14 witnesses have already been examined in the case and the remaining witnesses are formal witnesses. The case is fixed before the trial Court for 14.02.2020.

In view of advance stage of the trial, as 14 out of the 16 prosecution witnesses have already been examined and the case is fixed for 14.2.2020 for examination of remaining witnesses, the present petition is dismissed at this stage. However, the trial Court shall make an endeavour to examine the left out witnesses on the date fixed i.e. 14.02.2020.

It is made clear that in case the remaining witnesses are not examined on the date fixed or they unnecessarily avoid to depose in the case, the petitioner would be at liberty to file regular bail before the trial Court.

February 06, 2020
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No