

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

**CRM-M No.52380 of 2019  
Date of Decision.14.02.2020**

Vishal

...Petitioner

Vs

State of Haryana

...Respondent

**CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Rajesh Bansal, Advocate  
for the petitioner.

Ms. Trishanjali Chopra, AAG, Haryana.

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**JAISHREE THAKUR J. (ORAL)**

1. The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.109 dated 21.09.2019 under Sections 323, 354-A, 506, 34 IPC and Section 12 of POCSO Act, 2012 registered at Police Station Bapoli, District Panipat.

2. Learned counsel for the petitioner would contend that petitioner has been falsely implicated in the present FIR and is in custody since 24.09.2019. The challan has already been presented, however, despite several opportunities, prosecutrix is not coming forth to record her statement whereas a co-accused has been granted bail by this Court in CRM-M No.52210 of 2019 on 12.12.2019.

3. Per contra, learned counsel appearing on behalf of the respondent-State opposes the bail application, while contending that the offences alleged against the petitioner are serious in nature and therefore, he is not entitled to concession of regular bail.

4. I have heard learned counsel for the parties.

5. Since the challan has already been presented but despite several opportunities, the prosecutrix is not coming forward to record her statement and a co-accused has already been granted regular by this Court and the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind the bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

**(JAISHREE THAKUR)**  
**JUDGE**

**February 14, 2020**

Pankaj\*

Whether speaking/reasoned      Yes/No

Whether reportable                      Yes/No