

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

**CRM-M No.53881 of 2019 (O&M)
Date of Decision.14.01.2020**

Surender alias Sonu alias Tadi

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Ms. Mahima Yashpal, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

CRM No.920 of 2020

Application is allowed.

Translated copy of the FIR has been taken on record as
Annexure P-3.

CRM-M No.53881 of 2019

The instant petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No.749 dated
06.09.2019 under Section 354-A(2) IPC and under Section 8 of POCSO
Act, 2012 registered at Police Station Sadar Bhiwani, District Bhiwani.

Learned counsel for the petitioner contends that no further
investigation is required in the matter as the challan has already been
presented and therefore, no useful purpose would be served in keeping the
petitioner behind bars. It is further contended that statement of prosecutrix
has already been recorded before the trial Court and therefore, the petitioner
is entitled to be enlarged on bail.

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, therefore, the petitioner is not entitled to concession of regular bail.

I have heard learned counsel for the parties.

Since the trial court is likely to take some time as statements of only three out of ten witnesses have been recorded and in view of the fact that no further investigation is required and statement of prosecutrix has already been recorded, 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 is not to affect the merit of the case.

(JAISHREE THAKUR)
JUDGE

January 14, 2020

Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No