

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

CRM-M No.18992 of 2021 (O&M)

Date of Decision:05.07.2021

(Heard through VC)

Pardeep Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanchit Punia, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioners in FIR No.180 dated 07.11.2020 registered under Section 506 IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012 at Police Station Partap Nagar, District Yamuna Nagar.

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the said FIR. It is argued that the investigation has been completed and the challan stands presented. It is further argued that the matter has been compromised between the parties and statement of the prosecutrix has been recorded before the trial Court wherein she has admitted to the factum of compromise, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State opposes grant of bail

to the petitioner by contending that the allegations levelled against him are serious in nature, however, he does not dispute the fact that the investigation has been completed and the challan stands presented.

Counsel for the complainant admits to the factum of compromise and submits that the complainant has no objection in case bail is granted to the petitioner.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation has been completed and the challan stands presented and the matter has been compromised between the parties and the fact that the trial is likely to take some time to conclude owing to present COVID-19 pandemic situation, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/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.

July 05, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No