

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

CRM-M-22860-2021(O&M)

Date of Decision: 29.09.2021

(Heard through VC)

Harender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sukesh K. Jindal, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.271 dated 13.09.2020 under Sections 323, 452, 376 (2) (n), 34 IPC and Section 4 of the POCSO Act, registered at Police Station Israna, Panipat.

Learned counsel for the petitioner herein would contend that the statement of the prosecutrix has been recorded and there are several discrepancies in the same. It is also argued that the petitioner is in custody since 14.09.2020 and trial is not likely to conclude in the near future as only the prosecutrix has been examined so far and an application under Section 319 Cr. P.C. has been moved to summon the father of the petitioner herein which would delay the trial in any case. It is further contended that prosecutrix has been examined and, therefore, the

petitioner herein would be not in a position to influence her in any manner, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State opposes the grant of regular referring to the seriousness of the allegations against the petitioner herein and the prosecutrix is a minor girl.

I have heard counsel for the parties.

Be that as it may, this Court had earlier adjourned the matter on the ground to get the statement of the prosecutrix be recorded, the same has been recorded now. In view of the fact that trial is likely to take long to conclude, without commenting the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bond in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of trial Court/Duty Magistrate concerned.

Anything observed hereinbefore shall not be construed as an observation on merits of the case.

29.09.2021

Riya

Whether speaking/reasoned :

Whether Reportable :

(JAISHREE THAKUR)

JUDGE

Yes

No

Yes

No