

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

CRM-M No.23008of 2021 (O&M)

Date of Decision:29.06.2021

(Heard through VC)

Sahil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Prateek Rathee, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.422 dated 10.10.2020 registered under Section 6 of the POCSO Act and Section 363, 366A of IPC at Police Station, Sector 5, Gurugram.

Learned counsel for the petitioner herein would rely upon a statement recorded of the prosecutrix wherein she has categorically stated that she developed relationship with the petitioner on her own accord. He would also rely upon the proceedings before the trial Court where the prosecutrix has turned hostile. It is argued that the trial is likely to take some time to conclude and once the material witness has been examined, there is little chance of him influencing the material witness.

Learned counsel appearing on behalf of the respondent-State would submit that even though the prosecutrix has turned hostile and not supported case of the prosecution, the complainant is yet to be examined

and would oppose grant of bail to the petitioner by contending that the allegations levelled against him are serious in nature.

I have heard learned counsel for the parties. Keeping in view the fact that the material witness namely the prosecutrix has turned hostile and 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.

June 29, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No