

223 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH
(through video conferencing)

CRM-M-24872-2021
Decided on : 06.07.2021

Dinesh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. P.S.Chauhan, Advocate
 for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.54 dated 03.04.2021 registered under Sections 6, 17, 21 of POCSO Act and Sections 363, 366-A, 506 and 34 IPC,1860 at Police Station Rampura District Rewari.

Learned counsel for the petitioner inter alia contends that neither the petitioner was named and attributed any role in crime in question by the prosecutrix in her statement recorded before Child Welfare Committee nor did she level any allegation against him in her statement recorded under Section 164 Cr.PC. He further submits that the main allegations have been levelled against co-accused Dev Raj, who is the real brother of the petitioner and due to this fact, he has been falsely implicated in the case in hand. Hence, prayer has been made to extend the concession of bail to the petitioner, who is in custody since 03.04.2021.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner has not been able to controvert the factual

aspect of the submissions made by learned counsel for the petitioner with respect to the contents of the statements recorded before CWC and statement under Section 164 Cr.PC. He on instructions from SI Suresh has submitted that the challan stands presented and charges are likely to be framed very shortly.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioner has been in custody since 03.04.2021, the trial is unlikely to conclude in the near future more so in the wake of outbreak of pandemic Covid-19. Hence, the present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

06.07.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No