

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

CRM-M- 26626-2021 (O&M)

Date of Decision: 09.08.2021

(Heard through VC)

Randhir Singh alias Dhira

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ivneet Singh Pabla, 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 FIR No. 681 dated 16.12.2020 under Section 365 IPC (Section 365 IPC was removed and Sections 363, 366-A, 370, 370-A, 376 (3), 506, 120-B IPC and Sections 6 and 17 of the POCSO Act added later on) registered at Police Station Sadar Thanesar, Kurukshetra.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR. It is argued that a reading of the FIR does not indicate any role having been played by the petitioner in regard to abduction or alleged rape committed upon the minor daughter of the complainant. It is contended that initially the FIR was registered under

Section 365 IPC. When the minor was recovered and her statement was recorded on 16.07.2020, she did not name the petitioner herein. In the statement the allegations were made mainly against Santosh, the maternal aunt of the minor girl. It is further argued that the petitioner has been nominated as an accused on the basis of disclosure statement made by said Santosh, who has already been granted bail by this Court on 11.06.2021. Learned counsel also refers to an affidavit executed by Satpal, complainant stating that the present petitioner is not at all involved in the case. It is submitted that challan stands presented, however, as on date, neither the charges are framed, nor any of the witness examined. Since the trial is likely to take some time to conclude, therefore, prayer for regular bail has been made.

Learned counsel for the respondent-State, on instructions from Sub Inspector Kamlesh Kumari, on the other hand, opposes grant of regular bail to the petitioner while pointing to the seriousness of allegations levelled against him, however, he does not dispute the fact that in the initial statement that has been made by the complainant, there is no specific allegation against the petitioner herein.

I have heard learned counsel for the parties and have also perused the paper book. The trial is likely to take some time to conclude owing to present COVID-19 pandemic situation. The co-accused have already been granted bail. Investigation qua the petitioner is complete. In the aforesaid facts and circumstances of the case, I deem it appropriate to extend the benefit of regular bail to the petitioner. The instant petition is allowed and the petitioner is directed to be released on regular bail on his

execution of adequate personal/surety bonds 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.

09.08.2021
seema goran

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No