IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-28044-2021
Decided on : 28.07.2021

Parveen Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Prashant Singh Chauhan, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana
assisted by SI Suresh.

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MANJARI NEHRU KAUL, 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. 054, dated 03.04.2021, under Sections 6, 17, 21 of the POCSO Act and Sections 363, 366-A, 506, 34 of IPC, registered at Rampura, District Rewari (Haryana).

Learned counsel for the petitioner *inter alia* contends that neither the petitioner was named nor attributed any role in the alleged crime by the prosecutrix in her statements recorded under Section 164 Cr.P.C. and in her statement recorded before the Child Welfare Committee. Further submits that the main allegations have been levelled against the brother of the petitioner i.e. Dev Raj and it is only on account of that he has been falsely implicated in the case in hand. Hence, a prayer has been made to extend the concession of bail to the petitioner.

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. She has, however, not been able to controvert the factual aspect of the submissions made by

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learned counsel for the petitioner *qua* the contents of the statements recorded before the Child Welfare Committee and statement recorded under Section 164 Cr.P.C. Learned State counsel has further 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 for the parties and keeping in view the fact that only challan stands presented and the petitioner has been in custody since 03rd April, 2021, I deem it a fit case for grant of the concession of regular bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of 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

July 28, 2021
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

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