

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 30814-2021 (O&M)

Date of Decision: 22.09.2021

(Heard through VC)

Gopal alias Vijay

..... Petitioner

VERSUS

State of Haryana

.... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Lakshay Bajaj, 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 pending trial in FIR No.734 dated 08.11.2018, under Sections 363, 366-A IPC (Sections 450, 376(3) IPC and Section 4 of the POCSO Act added later on) registered at Police Station Samalkha, Panipat.

Learned counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the present case. It is contended that the petitioner herein is in custody since 10.11.2018. The statement of the material witnesses including the prosecutrix have been recorded and the prosecutrix has not supported the version of the prosecution. It is argued that only private witnesses have been examined

hence the trial is likely to take time to conclude.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, does not dispute the fact that the prosecutrix has turned hostile.

I have heard learned counsel for the parties.

The trial is likely to take some time to conclude. the petitioner herein is in custody since 10.11.2018 The statements of the material witnesses have been recorded and the prosecutrix has not supported the version of the prosecution. No useful purpose would be served in keeping the petitioner behind bars any longer. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate.

Anything observed in this order shall not be construed as an expression of opinion on merits of the case.

22.09.2021

seema goran

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No