

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

237

**CRM-M-36604-2021(O&M)
Decided on : 09.09.2021**

SISPAL AND ANR

....Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Aditya Sanghi, Advocate
for the petitioners.

Mr. Gagandeep Singh Chinna, AAG Haryana
assisted by SI Yudhvir Singh.

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.352, dated 05.05.2021 under Sections 147, 148, 323, 452, 506, 354-D and 34 of the IPC; Section 3(2)(va) of the SC&ST Act and Section 12 of the POCSO Act registered at Police Station City Narnaul, District Mahendergarh.

Learned counsel while inviting the attention of this Court to the allegations levelled in the FIR in question submits that the only allegation levelled against both the petitioners, who happen to be father and maternal uncle of the main accused (since declared juvenile) respectively is of going to the house of the complainant and thereafter inflicting injuries on them. Learned counsel submits that all the injuries allegedly inflicted by the petitioners were declared to be simple in nature. He further submits that the

offences under Section 12 of the POCSO Act are not made out against the petitioners and the same are against the co-accused (i.e., juvenile).

Per contra, learned State counsel while opposing and prayer and submissions of the learned counsel for the petitioners on instructions from SI Yudhvir Singh has not been able to controvert the role attributed to both the petitioners in the FIR in question. He submits that challan stands presented on 27th July 2021 and charges are likely to be framed in the near future.

Heard.

The petitioners have been in custody since 17th June 2021 and there is no likelihood of the trial concluding any time in the near future, hence no useful purpose would be served by keeping the petitioners behind the bars. I deem it a fit case to extend the concession of bail to the petitioners. The petition as such is allowed and the petitioners are admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything contained in this order shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 09, 2021

S.Sharma(syr)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>