

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

(112+219)

CRM-M-34125-2020 (O&M)
Date of Decision: 23.08.2021
(Heard through VC)

SANJAY

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

CRM-26003-2021

The instant application has been filed for placing on record the statement of prosecutrix/victim Annexure-P-3 and that of the mother of prosecutrix/victim Annexure P-4.

For the reasons mentioned therein, the application is allowed.

Documents Annexure-P-3 and Annexure P-4 are taken on record.

CRM-M-34125-2020

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 135 dated 20.11.2019 under Sections 376/506 of Indian Penal Code and under Section 3 of SC/ST Act 1989 and under Section 4 of POCSO Act, 2012 registered at Police Station Women Sirsa, District Sirsa.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the matter and has been behind the bars from 12.12.2019. It has been further submitted that the material witnesses have already been examined who have not supported the case of the prosecution and prays for grant of regular bail.

Learned counsel for the respondent-State opposes the grant of regular bail to the petitioner.

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 statements of the prosecutrix and her mother have been recorded wherein they have not supported the prosecution case. In the aforesaid facts and circumstances of the case, no useful purpose would be served in keeping the petitioner behind the bars any longer. The instant petition is allowed and the petitioner is directed to be released on regular bail on his execution of personal/surety bonds to the 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.

(JAISHREE THAKUR)
JUDGE

23.08.2021
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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No