

Monu alias Manjeet Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURIPresent: Mr. Gurmohan Singh Bedi, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Through Video Conferencing**JASGURPREET SINGH PURI, J.(ORAL)**

The present petition has been filed under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in FIR No.152, dated 21.07.2019 under Sections 4 and 17 of POCSO Act, 2012, registered at Police Station Barara, District Ambala.

As per the allegations contained in the FIR, the complaint was lodged by Manjit Kaur by stating that the prosecutrix is her daughter and her daughter was taken away by the petitioner on the asking of the co-accused namely, Karam Singh and the aforesaid Karam Singh committed bad act with the prosecutrix whereas, the petitioner who took her there at the spot did not commit any bad act with her nor did tease her. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and even otherwise the only allegation against the petitioner is that he had taken away the prosecutrix at a particular place where the co-accused namely, Karam Singh had committed an act of rape against the prosecutrix. He has submitted that the aforesaid co-accused Karam Singh has been granted bail by co-ordinate Bench of this Court in CRM-M-21755 of 2020 vide order dated 13.08.2020. He further submitted that the petitioner is in custody since 22.07.2019, which is more

than one year and the investigation of the case is already complete and challan stands presented and, therefore, no useful purpose would be served in case the petitioner is kept in custody for a longer time.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody since 22.07.2019 and the investigation of the case is already complete. He further submitted that it is also correct that the co-accused namely, Karam Singh, who is the main accused, had allegedly committed an act of rape on the prosecutrix, has been granted bail by co-ordinate Bench of this Court.

I have heard the learned counsel for the parties and have perused the record.

Keeping in view that the main accused has already been granted bail by the co-ordinate Bench of this Court and keeping in view the complaint in the FIR, in which it has been stated that the role of the petitioner is only that he had taken the prosecutrix along with him to a secluded place, it would be in the interest of justice to grant the concession of regular bail to the petitioner. Consequently, the present petition is allowed. The petitioner is admitted to bail on his furnishing adequate bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

It is made clear that the observations made hereinabove are purely for the disposal of the present bail petition and it would not reflect anything on the merits of the case.

(JASGURPREET SINGH PURI)
JUDGE

January 04, 2021
Manpreet

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