

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

117+205

CRM-M-41380-2020 (O&M)

Date of decision : 29.06.2021.

Aman

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Bikram Chaudhary, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

CRM-17221-2021

This application is for placing on record the statement of PW-1 as Annexure P-6.

Heard through video conferencing. For the reasons stated in the application, the same is allowed and Annexure P-6 is taken on record.

Main case

The petitioner is seeking regular bail in FIR No.195 dated 16.07.2020 under Sections 365, 506 IPC and Sections 4 and 6 of the POCSO Act, 2012 (added later on) registered at Police Station Uchana, District Jind.

Learned counsel for the petitioner contends that it is alleged that although the petitioner had sodomized the victim but there is no injury on the person of the victim in the MLR. He, however, contends that the FIR is the counterblast to the FIR lodged by the mother of the petitioner against the brother of the complainant. There is a delay of one month in lodging the FIR

as the incident is stated to have taken place on 15.06.2020 while the FIR was lodged on 16.07.2020. He further contends that the victim in his deposition before the trial Court as PW-1 has not supported the prosecution case qua the involvement of the petitioner. He also contends that the petitioner is 20 years of age and is in custody for over ten months.

Learned State counsel, upon instructions from ASI Kuldip, states that 01 out of 14 prosecution witnesses has been examined.

Heard through video conferencing.

In view of the above especially when the victim has not supported the prosecution case qua the involvement of the petitioner, the petitioner is 20 years of age, he is in custody for over ten months and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

June 29, 2021

sonia gugnani

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