

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

CRM-M No.122 of 2021 (O&M)

Date of Decision:28.07.2021

(Heard through VC)

Omkar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ranjit Sharma, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

Mr. Ritesh Pandey, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.487 dated 17.10.2020 registered under Sections 363, 366-A IPC and Section 4 of the POCSO Act at Police Station Sector 58, Faridabad.

Learned counsel for the petitioner herein would contend that the petitioner has been implicated falsely in the said FIR, as would be evident from the fact that there is discrepancies in the statements made by the prosecutrix. It is further submitted that a compromise has arrived at between the parties. The investigation has been completed and the challan stands presented and therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State opposes grant of bail

to the petitioner by contending that the allegations levelled against him are serious in nature, however, he does not dispute the fact that the matter has been investigated and the challan stands presented.

At this stage, appearance has been caused on behalf of the complainant, who admits to the factum of compromise and the complainant has no objection in case the petitioner is released on bail.

I have heard learned counsel for the parties. Keeping in view the fact that the matter has been compromised between the parties and the challan stands presented and the fact that trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond 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.

July 28, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No