

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

(Heard through VC)

CRM-M-4609-2022 (O&M)
Date of Decision: March 15, 2022

Vishal @ Bunty

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Arvind Kashyap, Advocate
for the petitioner.

Mr. Vishal Malik, DAG Haryana.

JAISHREE THAKUR, 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.29 dated 09.02.2021, under Sections 363, 366, 376, 120-B of Indian Penal Code and Sections 6, 17 of the POCSO ACT, registered at Police Station Babain, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner herein has been falsely implicated in the present case. It is argued that the complainant and the prosecutrix have since been examined and 16 witnesses remain to be examined. It is also contended that as the trial is likely to take sufficient time to conclude, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of

regular bail to the petitioner, by contending that there are serious allegations that have been levelled against the petitioner herein. However, he does not dispute the fact that complainant and the prosecutrix have since been examined.

I have heard learned counsel for the parties.

In view of the fact that the petitioner herein has been in custody since 12.02.2021, the complainant and the prosecutrix have since been examined and it will take sufficient time to conclude the trial, as 16 witnesses are yet to be examined, as such, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal bond in the sum of Rs.1 lac with one surety in the like amount to the satisfaction of concerned trial Court/Duty Magistrate.

However, it is made clear that the petitioner shall not visit the locality of the prosecutrix during the pendency of the trial and shall not try to contact the prosecutrix or her family member in any manner whatsoever either directly or indirectly.

Needless to say, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no effect on the merits of the case.

March 15, 2022
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No