

CRM-M-10558-2022

Date of decision: 12.12.2022

JASPAL SINGH

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gurdarshan Singh Sidhu, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated today and the same is taken on record.

Jaspal Singh-petitioner is seeking regular bail in the case bearing FIR No.49 dated 19.09.2021 under Sections 354-A/354-D/506/509/323/34 IPC, Section 12 of POCSO Act and Section 67 of Information Technology Act registered at Women Police Station Dabwali, District Sirsa.

Briefly, the allegations against the petitioner are to the effect that the petitioner had taken the photographs of the victim who is aged about 15 years and made them viral.

Learned counsel for the petitioner contends that the petitioner is in custody for a period of 01 year and 24 days and though he is involved in another case bearing FIR No.224 dated 15.05.2020, under Sections 148/149/323/452/506 IPC and Sections 25/54/59 of Arms Act, at Police Station Rania, Sirsa but he is on bail in that case. It has been further submitted that Abhishek Sidhu, the co-accused has been discharged and another co-accused, namely, Ajay Sidhu is on bail. Furthermore, the pictures allegedly taken by the petitioner were simple

course of trial has been recorded.

Learned State counsel has opposed the bail application on the score that the victim was aged about 15 years and out of 28, only 03 witnesses have been examined so far.

The petitioner is in custody for a period of 01 year and 24 days and though he is involved in another case but is stated to be on bail in that case. The co-accused has been granted bail. So far only 03, out of 28 witnesses have been examined. The conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

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

The petition is allowed accordingly.

12.12.2022

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(VIVEK PURI)
JUDGE

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