

CRM-M-23749-2022

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

CRM-M-23749-2022

Date of decision: 02.06.2022

Mohit

...Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rajiv Kumar Saini, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.17 dated 08.01.2020, registered under Section 323, 365, 377, 34 and 201 IPC and Section 6 of POCSO Act, 2012, at Police Station Sector 32-33, Karnal, District Karnal.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that the present FIR was got lodged at the instance of Savitri (mother of one of the victims); that no wrongful act has been committed by the petitioner; that both the victims as well as parents of one of the victims, while appearing as PW-3 to PW6, before the trial Court, have not supported the prosecution version and turned hostile and that the petitioner has been in custody since 16.01.2020. He further submits that similarly situated co-accused, namely, Parvinder, and Ravi Sharma have already been granted the concession of regular bail

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by this Court, on 28.02.2022 and 11.05.2022, respectively.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner as well as the factum of PW-3 to PW-6 turning hostile. He, however, submits that there are serious and specific allegations against the petitioner. He further submits that out of 21 prosecution witnesses, 10 witnesses have been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.01.2020. Both the victims as well as parents of one of the victims (PW-3 to PW-6) have turned hostile. As stated above, the co-accused have already been enlarged on bail. The prosecution witnesses are yet to be examined. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

02.06.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No