

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

CRM-M No.27031 of 2021(O&M)

Date of Decision:28.01.2022

(Heard through VC)

Raj Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. D.S. Matya, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl, AG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a second petition that has been filed for grant of regular bail to the petitioner in FIR No.126 dated 10.03.2020 registered under Section 8 of the POCSO Act and Section 506 IPC at Police Station Sector 50, District Gurugram.

Counsel for the petitioner would contend that initially an FIR was registered under Section 8 of the POCSO Act and thereafter, Section 6 of the POCSO Act came to be invoked against the petitioner. It is argued that there are material discrepancies in the statement given by the victim, who already stands examined and there are material improvements made therein. It is further argued that medical would not support any allegations of an offence under Section 6 of the POCSO Act.

Learned counsel for the respondent-State would argue that this is a second petition filed for grant of regular bail to the petitioner and there is enough evidence available on the record to convict the petitioner herein.

It is further argued that there is opinion of the doctor available, who has given a finding of partial penetration of anal orifice, which is enough to support the contention of a minor child aged 10 years. It is submitted that trial is at the fag end, as out of 16 witnesses cited, 11 has been examined.

I have heard learned counsel for the parties and find no ground to allow regular bail to the petitioner.

Accordingly, this petition stands dismissed.

However, the trial Court is directed to make an endeavour to complete the trial as expeditiously as possible, preferably within a period of 4 months, on receipt of certified copy of this order.

January 28, 2022
P.Bhatt

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No