

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

CRM-M-26980-2022
Decided on : 06.07.2022

Dal Chand @ Dabbu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gaurav Singla, Advocate
 for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

This is the third petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.124 dated 25.09.2020 under Sections 10 and 12 of POCSO Act registered at Police Station Women District Faridabad as the previous petition was dismissed on merits as recently as on 03.02.2022.

A pointed query was put to the learned counsel as to what was the stage of trial to which he fairly conceded that only one prosecution witness out of 12 remains to be examined and the next date of hearing fixed before the trial Court is 20.07.2022. He further submits that since the petitioner has been in custody since 28.09.2020, the petitioner be extended the concession of bail as his further incarceration would serve no useful purpose, more so, since all the material witnesses stand examined coupled with the fact that the trial would still take some time to conclude.

Per contra, learned State counsel while opposing the prayer and

submissions made by the counsel opposite submits that not only the trial is nearing conclusion but all the material witnesses including the victim supported the case of prosecution in its entirety. He thus, prays for dismissal of the instant petition, more so, when there is no material change in the circumstances subsequent to the dismissal of the previous petition on 03.02.2022.

Heard learned counsel and perused the relevant material available on record.

In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner as there is every likelihood that the trial would conclude shortly. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

At this stage, a prayer has been made by the learned counsel for the petitioner for issuance of directions to the trial court for expeditious conclusion of the trial.

In the wake of the long period of incarceration of the petitioner, the trial Court is directed to endeavour to expedite the trial and conclude the same preferably on or before 31.10.2022.

06.07.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No