

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

229

CRM-M-31572-2021 (O&M)

Date of Decision: 18.05.2022

ABHISHEK @ PINDA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sube S. Kaushik, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

CRM-701-2022

Application is allowed, as prayed for.

Evidence of prosecution witnesses No.1 to 3 are taken on
record, subject to all just exceptions.

Registry is directed to tag the same at an appropriate place.

CRM-M-31572-2021

Through this petition, the petitioner seeks regular bail in case bearing FIR No.3 dated 07.01.2021 registered under Section 377, 511 IPC; Section 10 of the POCSO Act and Sections 18, 4 of the POCSO Act added later on), at Police Station Alewa, District Jind,

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the victim, victim's mother and father/complainant, while appearing as PW-1 to PW-3 before the learned trial Court, have not supported the prosecution version and

turned hostile and that the petitioner has been in custody since 07.01.2021.

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. He, however, submits that out of 15 prosecution witnesses, 10 have already been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 07.01.2021. The victim, his mother and father/complainant (PW-1 to PW-3) have not supported the prosecution version and turned hostile. Some of 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 and without commenting anything on the merits of the case, lest it should prejudice the case of both the sides, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

18.05.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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