

204.

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

CRM-M-45174-2021

Date of Decision: 14.02.2022

FURKAN

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ajay Bhardwaj, Advocate,
for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

JAISHREE THAKUR.J (Oral)

This is second petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.262, dated 04.08.2021, registered under Section 506 of IPC and Section 10 of the POCSO Act, 2012 at Police Station Sector 9-A, Gurugram. The earlier petition i.e. CRM-M-40463-2021 was dismissed as withdrawn vide order dated 01.10.2021.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the present FIR. He contends that the material witnesses have already turned hostile and they have not supported the case of the prosecution. The petitioner is in custody since 04.08.2021 and the trial in the case will take some time to conclude.

On the other hand, learned State counsel opposes the grant of regular bail to the petitioner referring to seriousness of the allegations, however, is unable to controvert the statement made regarding the material witnesses not supported the case of the prosecution.

I have heard learned counsel for the petitioner and the learned State counsel.

Keeping in view the fact that the petitioner is in custody since 04.08.2021 and the trial in the case will take some time to conclude, this Court deems it appropriate to allow regular bail to the petitioner. Accordingly, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, any observation made herein shall not be construed to be an expression of opinion on merits of the case.

(JAISHREE THAKUR)
JUDGE

14.02.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No