

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

Sr. No.207

CRM-M-44447-2022

Date of Decision: 29.09.2022

Pardeep @ Pardeep Kumar

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. P.K.Ganga, Advocate
for the petitioner.

Mr. S.S.Mann, Addl. A.G.Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present petition, the petitioner is seeking grant of regular bail in case FIR No.56 dated 23.01.2021, registered under Sections 365, 377, 506 and 34 IPC (Sections 3(2)(s) of SC/ST Act and Section 6 of POCSO Act added subsequently) at Police Station City Hansi, District Hisar.

Learned counsel for the petitioner argues that the allegations in the FIR were false, which fact is already on record as the complainant has not supported the said accusation against the petitioner. Learned counsel submits that keeping in view the fact that the petitioner is behind bars since 30.01.2021 and the trial is likely to take some time to conclude, the petitioner may kindly be granted the concession of regular bail.

Learned State counsel concedes the fact that the complainant has already been examined and he has not supported the allegations levelled against the petitioner as alleged in the FIR. Learned State counsel submits that the culpability or the innocence of the petitioner will be determined only after all the evidences come on record hence, the claim of the petitioner that he be treated innocent and be granted the concession of regular bail, be

rejected. Learned State counsel concedes the fact that out of total 21 witnesses, only one witness has been examined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The complainant has already been examined, who has not supported the prosecution version. Though the culpability or the innocence of the petitioner will be determined on the basis of the total evidences which would come on record but whether the petitioner should be detained further or not, needs to be decided. As out of total 21 cited witnesses, only one witness has been examined so far, the trial is likely to take some time to conclude and the petitioner has already undergone more than 01 year and 10 months of custody, no useful purpose will be served in keeping the petitioner behind the bar during entire trial.

Keeping in view the above, the petitioner has made out a case for the grant of regular bail especially when learned counsel for the petitioner has undertaken before this Court that the petitioner will not influence the trial or the witnesses in any manner and will maintain good conduct, if he is granted bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Petition stands allowed.

(HARSIMRAN SINGH SETHI)
JUDGE

29.09.2022
Maninder

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