

CRM-M-51741-2021

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

CRM-M-51741-2021

Date of decision: 28.02.2022

Sandeep

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ankit Grewal, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.225 dated 22.08.2020, registered at Police Station Lakhan Majra, District Rohtak, under Sections 328, 452, 376(3) 506, 376-D(A) and 34 IPC, Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(2) (V) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner submits that allegation against the petitioner is that allegedly, he aided co-accused, Mohit to enter the room of the victim and had stood outside the house/room, where the wrong act was committed by the co-accused. There is no allegation of rape against the petitioner. The petitioner has been in custody since 24.08.2020.

On the other hand, learned State counsel, while opposing the

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submissions made by the learned counsel for the petitioner, submits that the victim, in her statements recorded under Section 164 Cr.P.C. and before the Court, has specifically stated that the petitioner by standing outside her house/room had facilitated the commission of crime by the co-accused and thus, considering the gravity of the offence, the petitioner is not entitled to the concession of bail.

I have heard the learned counsel for the parties.

The allegation against the petitioner is that he stood in front of the room of the victim and had facilitated the commission of crime by the co-accused. The petitioner has been in custody since 24.08.2020. Out of 25 prosecution witnesses, two witnesses i.e. the victim and the complainant stand examined. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

28.02.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No