

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

227

CRM-M-53705-2021 (O&M)

Date of decision: 28.02.2022

PARVINDER

...Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Ishita Jain, 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.17 dated 08.01.2020, registered under Section 323, 365, 377, 34 IPC and Section 6 of POCSO Act, 2012, at Police Station Sector 32-33, Karnal, District Karnal.

Reply by way of affidavit dated 24.02.2022 of the Deputy Superintendent of Police, Karnal-I, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that the present FIR was got lodged at the instance of Savitri (mother of one of the victims); that no wrongful act has been committed by the petitioner; that as per the prosecution, on the asking of the petitioner, Ravi Sharma Pahadi and Mohit, have committed wrong acts with both the victims; that both the victims as well as parents of one of the victims, while appearing as PW-3 to PW-6, before the trial Court, have not supported the

prosecution version and turned hostile and that the petitioner has been in custody since 18.07.2020.

On the other hand, 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 there are serious and specific allegations against the petitioner, inasmuch as, he has facilitated the co-accused in their wrong doings. He further submits that out of total 21 prosecution witnesses, 09 have already been examined.

I have heard the learned counsel for the parties.

As per the FIR, the petitioner along with co-accused have consumed liquor and given beatings to both the victims. The petitioner has been in custody since 18.07.2020. Both the victims as well as parents of one of the victims (PW-3 to PW-6) have turned hostile. Some of the prosecution witnesses are yet to be examined. In such circumstance, 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, 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.

(HARNARESH SINGH GILL)
JUDGE

28.02.2022

Aman Jain

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No