

CRM-M-23642-2022

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

(216)

CRM-M-23642-2022.
Date of Decision:-09.02.2023.

Mohan Lal @ Mohan Pal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Narender Pal Bhardwaj, Advocate and
Ms. Kajal Saini, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Dhruv Gupta, Advocate for the complainant.

ALOK JAIN, J. (Oral)

The present petition is for grant of regular bail to the petitioner in case FIR No.72 dated 02.08.2021 under Section 6 of the POCSO Act, Section 3 of the SC/ST Act and Section 506 of IPC, registered at Police Station Women Police Station Ambala wherein challan/final report under Section 173 of Cr.P.C. has been presented.

Learned counsel for the petitioner has submitted that the petitioner is a 23 year old boy and in fact tries to rely upon the photographs which are admitted to have been taken on 29.06.2021, which the prosecutrix admits in her statement to be the date when she was called upon by the petitioner. He further relies on the testimony of the prosecutrix

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wherein, in the cross-examination, she admitted that the words in the name of caste were uttered only on phone and not in public.

Learned counsel for the State has submitted that all the material witnesses have been examined and in fact out of 18 witnesses, 15 witnesses have been examined.

Learned counsel for the complainant, has vehemently opposed the present petition by submitting that the prosecutrix is less than 18 years of age and, hence, the petitioner should not be granted the concession of regular bail.

After hearing the parties at length, however, without commenting on the same and in light of the fact that all the material witnesses have been examined and the petitioner is in custody since 04.08.2021, coupled with the fact that trial is likely to take time, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting upon the merits, 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 trial Court/Duty Magistrate concerned.

(ALOK JAIN)
JUDGE

February 09, 2023.

Sandeep

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No