

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

204/A

**CRM-M No. 31622 of 2022
Date of Decision : 6.1.2023**

Ayush

..... Petitioner

versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Rahul Jaswal, Advocate, for the petitioner

Ms. Ankita Ahuja, AAG, Haryana

Mr. Radhey Shyam, Advocate, for the complainant

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail in case FIR No.171 dated 29.8.2021 under Section 376DA IPC and Section 6 of the POCSO Act, registered at Police Station Women, District Panipat.

Learned counsel for the petitioner has referred to testimonies of the complainant Subhadra Tiwari as witness no.1 and the victim herself as witness no.2, which have been placed on record as Annexures P-4 and P-5 respectively. Both of them have turned hostile and have neither identified the accused/petitioner nor attributed commission of the alleged sexual assault to him.

Learned State counsel has informed that eleven witnesses still remain to be examined.

It is, therefore, apparent that conclusion of the trial will take some time to be over and no useful purpose will be served by keeping the petitioner in custody in the meanwhile.

Accordingly, without commenting upon the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(TRIBHUVAN DAHIYA)
JUDGE

6.1.2023
Ashwani

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