

2023:PHHC:085613

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

CRM-M-30274-2023

Date of Decision: 07.07.2023

SURAJ GODARA

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Balvinder Sangwan, Advocate
for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI, J.(ORAL)

1. The petitioner is seeking regular bail in the case bearing FIR No. 31 dated 28.02.2023 under Sections 8, 12 of the POCSO Act and Section 506 IPC registered at Police Station Women NIT, Faridabad.
2. Custody certificate has been placed on record.
3. Learned counsel for the petitioner contends that the allegations against the petitioner are to the effect that he had been constantly following the victim, who is aged about 15 years, while she was returning from the tuition, forcibly held her hands and had also been threatening her. It has been further submitted that the last alleged incident took place on 23.02.2023 and there is delay of 05 days in lodging the FIR. The allegations as put forth against the petitioner are false one. The custodial interrogation of the petitioner is over and he has been remanded to judicial custody. Even, investigation of the case is complete and challan has been presented.

4. Learned State counsel has opposed the bail application on the score that the victim is aged about 15 years and there are categoric and specific allegations levelled against the petitioner. The challan has been presented and charge is yet to be framed. In the instant case, 15 witnesses are to be examined during the course of trial.

5. It is significant to note that the petitioner is in custody for a period of 03 months and 13 days. His custodial interrogation is over and has been remanded to judicial custody. On conclusion of investigation, the challan has also been presented in the Court. The prosecution is required to be examine 15 witnesses. Moreover, the genuineness of the allegations is to be adjudicated during the course of trial. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner in further custody.

6. In such circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

07.07.2023
smriti

(VIVEK PURI)
JUDGE

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