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2023 : PHHC : 141100

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31907-2023 (O&M)
Date of Decision: 06.11.2023

DINESH

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Mohit Sharma, Advocate for the petitioner.

Mr. R.K. Singla, DAG Haryana.

* * *

VIVEK PURI, J. (ORAL)

1. The petitioner is seeking regular bail in case bearing FIR No. 135 dated 04.03.2023 under Sections 8, 12 of Protection of Children from Sexual Offences Act, registered at Police Station Palla, District Faridabad.

2. Briefly, the allegations in the FIR are to the effect that the victim is aged about 14 years and the petitioner had been threateneing and sexually harassing her.

3. Learned counsel for the petitioner contends that during the course of trial, the victim, her mother and brother have not supported the prosecution version. The petitioner is in custody for a period of more than 8 months and not involved in any other case.

4. Learned State counsel, on instructions of PSI Suman, submits that out of 14, 3 witnesses have been examined.

5. It is significant to note that during the course of trial, the victim, her mother and brother have not supported the prosecution version. The victim has categorically stated that she does not know the petitioner and he

had not committed any wrongful act with her. The petitioner is in custody for a period of more than 8 months and not involved in any other case. Still 11 witnesses remain to be examined. The conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioner in further custody.

6. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

7. The petition is allowed.

06.11.2023

Janki

**(VIVEK PURI)
JUDGE**

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