

CRM-M-33098-2024

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

CRM-M-33098-2024

Date of Decision:- 16.09.2024

Inderjeet @ Inderjit

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

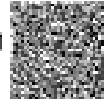
Present:- Mr. Sajal Bansal, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J.

1. The petitioner – Inderjeet @ Inderjit has filed second petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 54 dated 05.05.2021 (Annexure P-1) under Section 363, 366, 366-A, 506 of Indian Penal Code, 1860, Section 6 of POCSO Act, 2012, registered at Police Station Sector 20, Panchkula.

2. Facts of case are mother of victim gave her statement to police that she is mother of two children, daughter i.e. victim, studying in 10th class and younger son, studying in 8th class. Both were studying in Government School, Sector 19, Panchkula. Her husband had gone to his village in Uttar Pradesh. She was doing private job at Plot No. 25, Phase-II, Industrial Area. On 05.05.2021, when she returned home at 06:00 pm, she noticed that her daughter was missing from house. On inquiry, she came to know from her sister that victim had come to her house at 11:00 am and

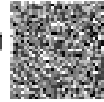
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thereafter, she went home. She tried to search the victim but could not find out her whereabouts and thereafter, matter was reported to police. During the course of investigation, victim was recovered and her statement was recorded under Section 164 Cr.P.C. on 19.05.2021. After completion of investigation, challan was presented and now case is pending for prosecution evidence.

3. Learned counsel for petitioner pointed out that he was arrested in this case on 19.05.2021 and since then, he is behind the bars. He had filed application for regular bail and same was dismissed vide order dated 23.02.2022, Annexure P-6. He filed bail petition bearing CRM-M-309-2023 which was dismissed as withdrawn on 30.05.2023. Copy of order is Annexure P-9. Now, statements of material witnesses i.e. Dr. Deepshikha, mother of victim and victim herself have been recorded, which are Annexures P-5, P-7 and P-8 respectively. Other prosecution witnesses are yet to be examined. He is behind the bars since long. He will abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. It is pointed out that petitioner has committed heinous crime. After completion of investigation, challan was presented on 02.08.2021 and charges were framed on 03.09.2021. Eight prosecution witnesses have been examined, out of 17 witnesses. In case, petitioner is granted bail, he may abscond. Therefore, he is not entitled to be released on regular bail.

5. I have considered the arguments and have gone through the record. Admittedly, petitioner is behind the bars for the last more than three years. Trial in this case is under progress. As per record, material witnesses



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namely mother of victim and victim herself have been examined. Copies of their statements are Annexures P-7 and P-8 respectively. First regular bail petition was dismissed as withdrawn vide order dated 30.05.2023, copy of which is Annexure P-9. Progress of trial is at slow pace. Conclusion of trial may take more time. Therefore, considering the long duration of custody and without expressing my mind on the merits of case, regular bail petition filed by petitioner – Inderjeet alias Inderjit is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. The petition is accordingly, accepted.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

16.09.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No