

Mr. Samar Vijay Singh, AOR
Mr. Sumit Kumar Sharma, Adv.
Mr. Rajat Sangwan, Adv.
Mr. Harsh Mehla, Adv.

Mr. Saket Singh, Adv.
Mr. Anil Kumar, AOR

**UPON hearing the counsel
the Court made the following
O R D E R**

1) Against an order of rejection of regular bail by the High Court and to seek bail, the present special leave petition has been filed. The petitioner is in custody w.e.f. 11.03.2024 in connection with FIR No.109/2024 dated 16.02.2024 for the offences punishable under Sections 363, 366-A and 201 of the Indian Penal Code, 1860, and Section 6 of Protection of Children from Sexual Offences Act, 2012, registered with Police Station Mujesar, District Faridabad.

2) After hearing learned counsel for the parties, we find that the custody period of the petitioner is already 2 years and 1 month; the charges were framed on 08.07.2024 and by this time, only 1 out of 26 witnesses could have been examined. In addition, as contended there is inconsistency in the statement of the victim under Section 164 Cr.P.C. as well as the statement recorded in the Court. All these aspects are required to be looked into at the time of appreciation of evidence; however, at present, looking to the delay in trial, without expressing any opinion on the merits of the case, we deem it appropriate to release the petitioner on bail.

3) Accordingly, we direct to release the

petitioner on bail on furnishing the suitable bail bonds and sureties and on such other terms and conditions as may be deemed fit by the trial Court. The trial Court is at liberty to put all stringent conditions, thereby the petitioner may not come in association or intimidate the witnesses.

4) Petitioner to abide all the conditions as imposed and shall regularly attend the trial until exempted by the Court. Violation, if any, may give a cause to take recourse for cancellation of bail and the trial Court is at liberty to do the needful.

5) We observe that in POCSO cases, the trial ought to be concluded timely; however, the trial Court shall make an

endeavour to conclude the trial as expeditiously as possible.

6) Accordingly, and in view of the foregoing, the special leave petition stands allowed. Pending application(s), if any, shall stand disposed of.

(NIDHI AHUJA)
DEPUTY REGISTRAR

(NAND KISHOR)
ASSISTANT REGISTRAR