

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-19533-2015

Date of decision: 4.8.2015

Khagender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana.

Rajan Gupta, J. (oral)

This is a petition under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner under Sections 363, 366-A IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Mujesar, District Faridabad, Haryana, vide FIR No.253 dated 19.04.2015.

Learned counsel for the petitioner submits that petitioner married the prosecutrix on 13.4.2015. He is in custody as a result of complaint lodged by father of the prosecutrix.

Learned State counsel has opposed the prayer for bail. According to him, prosecutrix was less than 13 years of age at the relevant time.

Heard.

Keeping in view the facts and circumstances of the case and the period of incarceration of the petitioner, I am of the considered view that

no useful purpose will be served by detaining the petitioner during the pendency of trial. Thus, without expressing any opinion on the merits of the case, this petition is allowed and the petitioner is directed to be released on bail to the satisfaction of the trial court.

(RAJAN GUPTA)
JUDGE

4.8.2015
'Rajpal'