

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-42712 of 2015
Date of decision : December 22, 2015

Kuldeep

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Naveen Singh Panwar, Advocate, for the petitioner
Mr. Munish Sharma, AAG, Haryana

Fateh Deep Singh, J. (Oral)

The allegations in this regular bail application under section 439 Cr.P.C. against petitioner Kuldeep are that the prosecutrix who is aged between 17 to 18 years was enticed and taken away by the petitioner on 25.3.2015.

It is contended by Mr. Naveen Singh Panwar, counsel for the petitioner that the learned trial court has failed to appreciate the fact that Municipal Corporation records shows her to be major and school certificate shows her to be minor aged 17 years. It has been brought to the notice of this Court by learned State counsel that even in her statement under section 164 Cr.P.C. she absolved the petitioner and similarly had not supported the prosecution version during trial.

Having regard to the fact that the petitioner is in custody since 14.4.2015 and the trial is not likely to be concluded in near future and no purpose will be served by detaining the petitioner in jail. Accordingly, he is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Gurgaon.

The present petition stands disposed off accordingly.

December 22, 2015

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**(Fateh Deep Singh)
Judge**