

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No.M-44414 of 2014 (O&M)

Date of decision: 29th January, 2015

Guddu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Dalip Kumar Tuteja, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana,
for the respondent-State.

INDERJIT SINGH, J.

Petitioner Guddu has preferred this petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.186 dated 04.07.2014, registered at Police Station Shivaji Colony, Rohtak, under Sections 363, 366-A, 376, 506 IPC, Section 4/8 of Protection of Children from Sexual Offences Act and Section 3 of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities Act).

Notice of motion was issued.

Today, learned State counsel has appeared and contested this bail application.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the FIR has been registered under Sections 363, 366-A IPC by Vidhya, mother of the prosecutrix, on the allegations that the petitioner-accused enticed her daughter with an intention to marry her. As per the copy of the order dated 27.11.2014, passed by this Court which is placed on record by

learned counsel for the petitioner, that the prosecutrix made statement that she wants to accompany her husband-petitioner Guddu and she is in advanced stage of pregnancy. As per the copy of another order dated 03.12.2014, passed by this Court, complainant-respondent No.2, mother of the prosecutrix made statement that the petitioner will make an FD of Rs.30,000/- in favour of prosecutrix and deposit the same with the Registry of this Court. The complainant also made statement that she has no objection if her daughter alongwith her newly born son is allowed to go to the house of the petitioner and his mother Jyoti. As per the said order, Jyoti, mother of the petitioner, was allowed to take the prosecutrix alongwith her newly born son to the house. The petitioner is in custody since 07.07.2014. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Rohtak.

29th January, 2015
mamta/rajesh

(INDERJIT SINGH)
JUDGE