

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

CRM-M-5986 of 2015(O&M)

Date of Decision:12.05.2015

Sushil

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Arvinder Singh, Advocate
for the petitioner.

Ms. Mahima, AAG, Haryana.

SNEH PRASHAR, J.

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure (Cr.P.C.) for grant of concession of regular bail to the petitioner in case First Information Report No.698 dated 28.12.2014 under Sections 323, 354, 365, 506 and 34 of the Indian Penal Code (for short 'IPC) and Section 8 of the Protection of Children from Sexual Offence Act, 2012 registered at Police Station Assandh, District Karnal.

2. Heard the submissions made by Mr. Arvind Singh, Advocate representing the petitioner and Ms. Mahima, AAG, Haryana representing the State.

3. Learned counsel for the petitioner has produced certified photocopy of the statement of PW1-Mamta dated 24.04.2015, according to which, during her statement, the prosecutrix did not identify the petitioner as a culprit.

4. The prayer is opposed by learned State counsel and she

prays for dismissal of the present petition.

5. Taking into consideration the fact that the trial is still likely to take time and there is no plausible ground to detain petitioner in custody, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is released on bail subject to his furnishing bail/surety bonds, to the satisfaction of trial Court/Duty Magistrate, Karnal.

May 12, 2015
rashmi

(SNEH PRASHAR)
JUDGE