

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

**Crl. Misc. No.M-6450 of 2015  
Date of decision: 10.03.2015**

**Sunil Kumar**

**.....Petitioner(s)**

**Versus**

**State of U.T., Chandigarh & another**

**...Respondent(s)**

**CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY**

Present: Mr. Rohit Khullar, Advocate  
for the petitioner.

Mr. Amandeep S. Gill, P.P. (U.T.), Chandigarh.

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**ANITA CHAUDHRY, J(ORAL)**

The petitioner is seeking regular bail in FIR No.38 dated 05.02.2015, registered under Section 354 IPC and POCSO Act, Police Station Sector 31, Chandigarh.

Heard.

Learned State counsel informs that the allegations under the POCSO Act have been dropped as the victim was found to be over 18 years of age and the only allegations now against the petitioner are under Section 354 IPC.

Learned counsel for the petitioner contends that the victim is older in age to the petitioner and the allegations against the petitioner are that he caught hold of the victim's hand and took her on

a side. He further states that there is a photograph (Annexure P-2) which would show that both were on friendly terms and the story put forward by the prosecution is not probable and no offence has been committed.

The victim was not found to be a minor, therefore, the State has withdrawn the allegations under POCSO Act. The petitioner is in custody for over a month. The trial will take time. Without observing anything on the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of Chief Judicial Magistrate, Chandigarh with the condition that he would not contact the victim in any manner.

10.03.2015  
sunil

**(ANITA CHAUDHRY)**  
**JUDGE**