

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

**Crl. Misc. No.M-12021 of 2016
Date of decision : 09.05.2016**

Pinky

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Naveen Batra, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Vinod Kumar, Advocate
for the complainant.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.187 dated 19.12.2015, registered under Sections 376, 506, 120-B IPC and Section 6 of POCSO Act, P.S. Sadar, District Hoshiarpur.

Counsel for the petitioner contends that the petitioner is in custody since 16.01.2016 and the FIR had been lodged by the husband where allegations were levelled that their daughter was molested by the male friends of the petitioner. The counsel urges that it is a matrimonial dispute which has been given a twist. It was urged that no mother would allow her daughter to be mis-used. Counsel states that challan has been presented and the trial would take time.

The State counsel submits that the girl was medically examined but it is yet to receive the FSL report.

Perusal of the MLR shows that a detailed account has been given by the child to the Medical Officer, which is indeed unusual. No tear had been found in the MLR. The victim had only complained of pain. The allegation made by the girl was that she was drugged at night and she used to get up late. The police had not collected any material to show her frequent absence from the school. The FSL report has not been received yet. The trial will take time. Without commenting upon 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 trial Court/Duty Magistrate.

09.05.2016

sunil

(ANITA CHAUDHRY)
JUDGE