

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

CRL. MISC. No.M-177 OF 2016
DATE OF DECISION : 23RD APRIL, 2016

Ashok

.... **Petitioner**

Versus

State of Haryana

.... **Respondent**

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

* * * *

Present : Dr. Deipa Singh, Advocate for the petitioner.

Ms. Mahima Yaspal, AAG, Haryana.

* * * *

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No.41 dated 15.10.2015, registered under Sections 354A, 452, 506 IPC and Section 8 of the POCSO Act at Police Station Narnaul, District Mahendergarh.

Heard.

Learned counsel for the petitioner contends that the case had been adjourned to enable the prosecution to examine the complainant but she is not appearing in the court and now bailable warrants of arrest have been issued against her. Counsel further urges that the incident is of 05.10.2015 and the FIR was lodged after 10 days and the allegations, on the face of it, appear to be false.

The State counsel submits that earlier the complainant's statement could not be recorded on account of the agitation going in

Haryana and the complainant did not appear in the court on the last date of hearing and bailable warrants have been issued.

The case has been adjourned thrice to enable the prosecution to examine the prosecutrix. The complainant is avoiding the witness box. Bailable warrants of arrest have been issued against her. The trial would get delayed.

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 the trial Court/Duty Magistrate, Narnaul.

23rd April, 2016
'raj'

(ANITA CHAUDHRY)
JUDGE