

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-18563 of 2016

Date of decision : 21.07.2016

Fakruddin

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Saleem Ahmed, Advocate
for the petitioner
Ms. Dimple Jain, AAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 4 dated 07.09.2015 registered at Women Police Station, Nuh, District Mewat under Sections 363, 366 IPC and Section 4 of POCSO Act.

Learned counsel for the petitioner contends that the challan has been presented and the victim had not named the petitioner in her statement recorded under Section 161 Cr.P.C. and in the statement recorded before the Court where she does not name them. He further states that persons who had raped the girl could not be arrested.

Learned State counsel submits that the petitioner is a resident of Rajasthan.

Some of the accused could not be arrested. The petitioner is a resident of another State. The prosecution fears that he may also abscond.

Without commenting anything on the merits of the case and considering the statement of the prosecutrix and the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds and local surety to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHARY)
JUDGE

July 21, 2016
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