

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

Crl. Misc. No. M-25729 of 2016

Date of decision : 03.08.2016

Suresh @ Kanahiya

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sunny Bhardwaj, Advocate,
for the petitioner

Mr. Reepu Dhawan, AAG, Haryana

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 98 dated 01.04.2016, registered at Police Station City, Bhiwani, who has been booked for having committed the offence punishable under Sections 363/366-A IPC and Section 6 of POCSO Act).

The prosecutrix in her statement under Section 164 Cr.P.C stated that she had accompanied the petitioner with her free will and further she stated that the petitioner had not committed any offence.

Learned State counsel on instructions from Head Constable Narinder Singh has informed the Court that after presentation of the challan and after framing of charges, there are total 18 witnesses which are to be examine and none has been examined so far. Petitioner is in custody since 05.04.2016.

Keeping in view the period of incarceration of the petitioner and the fact that the complainant in her statement stated that she accompanied the petitioner with her own free will, this Court feels that there is no need to detain the petitioner any longer.

Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to her furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Bhiwani.

03.08.2016
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>