

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

Crl. Misc. No. M-27072 of 2016

Date of decision : 11.08.2016

Sachin

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Maharaj Kumar, Advocate,
for the petitioner

Ms. Mahima Yashpal, A.A.G, 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. 530 dated 24.06.2015, registered at Police Station Model Town Panipat, District Panipat, who has been booked for having committed the offence punishable under Sections 363/366-A/328/376 IPC and Section 6 of POCSO Act).

As per the statement of the prosecutrix Deepa under Section 164 Cr.P.C, it shows that it is a case of consensual sex and she stated that both the accused i.e Sachin-present petitioner and Ankit are resident of neighbouring house in village Khandela District Shamli where she is married and stated that the accused were on visiting terms to their house. She had accompanied the petitioner with her free will and she further stated that the petitioner had not committed any offence. Further the prosecutrix had not made any complaint rather her husband and in-laws

informed the police, who arrested the accused from Haridwar. The prosecutrix is a major having one child.

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, out of 14 witnesses, 08 have been examined including prosecutrix. Petitioner is in custody since 31.07.2015.

Keeping in view the period of incarceration of the petitioner, 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, Panipat.

11.08.2016
G Arora

(RITU BAHRI)
JUDGE

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