

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-31673 of 2016
Date of decision : 15.09.2016

Devender

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sunil Saharan, Advocate
for the petitioner

Mr. Apoorv Garg, DAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 162 dated 04.05.2016 registered at Police Station Narnaund, District Hisar under Sections 363, 366A, 452 IPC (Section 376-D IPC and Section 6 of POCSO Act added later on).

The petitioner is in custody since 04.05.2016. The investigation is over and challan has been presented.

The complaint had been made by the victim who was over 16 years of age. She did not name the petitioner in the FIR or in the statement recorded under Section 164 Cr.P.C. Four other names were given. The incident is alleged to have taken place in the night of 02.05.2016 and the FIR had been lodged two days later. The name of the petitioner had appeared in the third statement given to the police under Section 161 Cr.P.C.

Without commenting anything on the merits of the case and considering 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 to the satisfaction of the trial Court/Duty Magistrate with the rider that he will not contact the prosecutrix in any manner and will not tamper with the evidence.

(ANITA CHAUDHARY)
JUDGE

September 15, 2016

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Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No