

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34958-2016
Date of decision: 05.10.2016

Rajesh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Namit Sharma, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case F.I.R No. 828 dated 28.06.2016 under Sections 323/506 IPC and Section 8 POSCO Act, registered at Police Station City Panipat.

As per the contents of the FIR, the allegation against the present petitioner is that on 26.06.2016, he had come to the house of the complainant and tease and physically assaulted her daughter. As the statement under Section 164 CR.P.C. of the victim shows that he had come to the house and thereafter sexually assaulted her. Such offence under Section 323 and 506 IPC are not made out as the complainant had gone to the house of Mam Chand Garg.

Learned State counsel on instructions has informed the Court that challan has already been presented. The petitioner has been in custody since 29.06.2016.

Keeping in view the period of incarceration of the petitioner and the fact that trial may still take some time for its conclusion, this court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Panipat.

(RITU BAHRI)
JUDGE

October 05, 2016
anju

Whether speaking/reasoned: Yes
Whether reportable : No