

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M No. 39373 of 2016
Date of decision: 10.11.2016**

Tinku

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

Petitioner Tinku has filed the present petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 562 dated 09.05.2016, under Sections 363 and 366-A of the IPC and Section 6 of POCSO Act, registered at Police Station City Panipat, District Panipat.

Counsel for the petitioner contends that the prosecutrix in her statement under Section 164 Cr.P.C. has submitted that she went with the petitioner under her own free will. She further stated that rituals of *Maang Bharai* and wearing of *Mangal Sutra* were completed and she wants to marry him. Statements of the parents of the prosecutrix had also been recorded wherein it was submitted that the petitioner did not entice their daughter nor did he commit any offence with her.

Notice of motion.

Mr. Anmol Malik, AAG, Haryana, has appeared on behalf of respondent-State and contested the bail application.

In view of the fact that statement of the prosecutrix, complainant and his wife has been recorded and the petitioner is in custody since 11.05.2016 and further that the trial is likely to take some time, no useful purpose would be served by keeping the petitioner in custody furthermore.

Therefore, keeping in view the facts and circumstances of the present case and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/learned trial Court concerned.

Petition stands disposed of.

November 10, 2016

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No