

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

Crl. Misc. No.M-40803 of 2016

Date of decision : 18.11.2016

Manjinder Singh and another

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. J.S. Bedi, Sr. Advocate with
Mr. Sunil Sihag, Advocate
for the petitioners.

Mr. Sandeep Vashisht, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioners are seeking regular bail in FIR No.59 dated 13.09.2016, registered under Sections 341, 506, 34 IPC and Sections 8 & 12 of the POCSO Act, Women Police Station Panchkula, District Panchkula.

The counsel for the petitioners contends that the petitioners are in custody since 14.09.2016 and investigation stage is over and challan has been presented. The counsel further says that the report has been lodged neither by the victim or her parents but by her aunt and the accused and the prosecutrix live in the same vicinity and the petitioners were friendly with the victim and such an incident could not have taken place in a market place and the father of the girl is a police official. The counsel refers to a letter (Annexure P-1) written by the girl. He has also referred to the photographs Annexure P-2.

The State counsel on instructions from the police official present says that the torn clothes were taken into possession.

Investigation is over. Challan has been presented. The trial will take long time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioners are directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate with the rider that the petitioners would not contact the victim or her family in any manner or tamper with evidence.

18.11.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No