

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

**CRM-M-No. 42274 of 2015
Date of decision-25.01.2016.**

Dr. Mayank Chugh

...Petitioner

VS

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. R.S Cheema, Senior Advocate with
Mr. R.K. Trikha, Advocate
for the petitioner.

Ms. Tanushree Gupta, D.A.G.Haryana.

Mr. Sandeep Gehlawat, Advocate
for the complainant.

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner namely, Mayank Chugh in case FIR No.0017 dated 22.09.2015 registered under Sections 376 (2) IPC and Sections 6/8 of Protection of Children from Sexual Offences Act, 2012, at Women Police Station, Bhiwani.

Learned counsel for the petitioner submits that out of total forty prosecution witnesses, twenty nine have been examined and the evidence has been closed. The case of the prosecution has not been supported by the prosecution witnesses including prosecutrix herself, her father and mother. They have resiled from their statements.

Learned State counsel has not disputed with regard to examination of prosecution witnesses and closing of evidence as well as the fact that the prosecution witnesses have not supported the case of the prosecution.

In view of submissions made by learned counsel for the petitioner and on perusal of statements of prosecutrix, her father and mother as they have not supported the case of the prosecution and resiled from their statements, the present petition is allowed and the petitioner is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of Chief Judicial Magistrate, Bhiwani.

(DAYA CHAUDHARY)
JUDGE

January 25, 2016
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