

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-43789 of 2016
Date of Decision: 13.12.2016**

Vikas Kumar

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sunil Kumar Bhardwaj, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 401 dated 13.12.2014 registered at Police Station Bawani Khera, District Bhiwani under Sections 346, 376(2), 354, 342, 498-A IPC and Section 6, 12 of the POCSO Act.

The case was registered in December 2014 as the prosecutrix was missing since 12.12.2014.

Counsel for the petitioner urges that it was a case of run away marriage and the complaint has been made that rape was committed one year prior to the incident. Counsel further urges that the statement of the prosecutrix has been recorded.

The victim and the petitioner had approached the High Court for protection in January 2014. The order passed on the petition is Annexure P-1. The victim had stated that she was major. In the marriage certificate her age was shown 19 years. Subsequently, she has accused the petitioner

of rape. The statement of the prosecutrix has been recorded. The trial will take time.

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 local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

December 13, 2016
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No