

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-192-2017

Date of Decision:- 16.01.2017

Honey Sharma

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. IPS Kohli, Advocate,
for the petitioner.

Ms. Manpreet Dhaliwal, AAG, Punjab.

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.237 dated 17.11.2016, under Sections 363 and 366-A IPC and Section 6 of POCSO Act, registered at Police Station SAS Nagar (Mohali).

Learned counsel for the petitioner submits that perusal of order dated 22.12.2016, passed by learned Sessions Judge, SAS Nagar (Mohali) shows that granddaughter of the complainant was 17 years of age whereas the petitioner was 19 years old. Both were having a love affair and they stayed together for 15 days. Moreover, the prosecutrix in her statement recorded under Section 164 Cr.P.C. has not raised any allegation of rape against the present petitioner.

Learned State counsel, on instructions from investigating officer, has informed that the challan has not been presented in this case.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was arrested on 01.12.2016. Since then, he is in judicial custody and no useful purpose would be served to further detain him in jail. The final conclusion of the trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, SAS Nagar (Mohali).

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

January 16, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No