

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

Crl. Misc. No. M-23368-2016

Date of decision : 24.05.2017

Manjeet @ Kaliya

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sunny Bhardwaj, Advocate, for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of F.I.R No. 47 of 18.03.2016 under Section 363/366-A/376-D IPC and Section 6/12 of POCSO Act, registered at Police Station Civil Lines, Bhiwani.

Learned counsel submits that the prosecutrix in her statement under Section 164 Cr.P.C has not stated anything regarding the alleged offence of rape at all and she deposed that she stayed with her boy friend namely Bintu at his home in fields. The prosecutrix was recovered from Bintu.

Learned counsel further referred to statement of Krishan P.W.3 who stated that her daughter has not been kidnapped by anybody. To the same effect are the statements of Anju-P.W.4 and Manju-P.W.5 (daughter of Krishan).

Heard learned counsel for the parties.

Keeping in view the above fact and the fact that the trial is likely to take some time to conclude and the fact that the prosecutrix has turned hostile, the present petition is allowed. Petitioner is ordered to be released on bail during pendency of the trial of the present case, subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Bhiwani.

24.05.2017

G Arora

(RITU BAHRI)

JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>