

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

**CRM No.M-2544 of 2017
Decided on: 31.01.2017**

Jai Naryan @ Janna

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Aman Pal, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana
assisted with SI Jagdish Chander.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.486 dated 24.09.2016, for offence punishable under Section 8 of the Prevention of Children from Sexual Offences Act, 2012 registered in Police Station Pehowa, District Kurukshetra.

Counsel for the petitioner has submitted that the petitioner was arrested on 26.09.2016 and is in custody. On completion of investigation, challan has been presented in the Court and conclusion of trial is likely to take its own time. It is further submitted that the material witnesses in the case i.e. prosecutrix and her father (complainant) have already been examined. The complainant has failed to support the prosecution version and even disowned lodging of complaint, basis of the FIR. The last submission made by counsel is that the petitioner is ready to face the proceedings without any default.

Counsel for the State of Haryana has not disputed the

factual assertions but has submitted that one of the material witnesses, brother of the prosecutrix namely Rahul is yet to be examined.

I have heard counsel for the parties, perused the paperbook and the police records.

The prosecutrix and her father have already been examined in the case. The father of the prosecutrix failed to support the prosecution in view of the facts elicited in his cross-examination.

Conclusion of the trial is likely to take its own time. There is no allegation against the petitioner that he is likely to flee from the process of justice in case released on bail.

Without commenting upon merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

31.01.2017
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No