

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

**CRM-M-26970-2017
Date of decision: 01.08.2017**

Jhanjeb @ Jahajed @ Kabir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R. S. Mamli, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 240 dated 29.06.2016, registered under Sections 363, 366-A and 506 of the Indian Penal Code and Section 4 of the POCSO Act at Police Station Rajendera Park, District Gurugram.

Counsel for the petitioner contends that this is the case where both the parties went willingly and in fact the statement, recorded under Section 164 Cr.P.C., would reveal that the prosecutrix admitted to going with the petitioner willingly. Even affidavit dated 20.06.2017 would reflect that the petitioner is not guilty as she herself gave a mobile call to him. Counsel for the petitioner would also submit that the statement of the prosecutrix has been recorded and there is little likelihood of the petitioner causing an obstruction.

Counsel for the respondent-State submits that out of total 14 witnesses, 09 witnesses have been examined so far.

Without going into the merits of the case and keeping in view of the fact that out of total 14 witnesses, only 09 witnesses have been examined so far and the trial is likely to take some time to conclude, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

August 01, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No