

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

CRM -M-32251 of 2017 (O&M)

Date of decision: 06.09.2017

Jitender Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Saneta, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Dharamveer.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 264 dated 28.10.2016, registered under Sections 363, 365, 120-B, 376, 506 of IPC and Section 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, at Police Station Naraingarh, District Ambala.

It is contended that the petitioner and prosecutrix were closely known to each other. They solemnized marriage on 26.10.2016 and approached this Court by way of filing petition bearing No.CRM-M-40613-2016 which was disposed of, vide order dated 15.11.2016, wherein the prosecutrix projected herself to be major. Therefore, false implication has been pleaded. The petitioner is in custody since

16.11.2016.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Considering the above facts and circumstances of the case and the fact that out of total 15 PWs, only 01 PW has been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

06.09.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No