

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

CRM-M No. 3283 of 2017(O&M)

Date of decision: 9.2.2017

Tinku

....Petitioner

VERSUS

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. M.S. Khillan, Advocate for the petitioner.

Mr. Vikas Malik, AAG, Haryana.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of regular bail in FIR No.214 dated 05.07.2016 registered with Police Station Madhuban, District Karnal for offence punishable under Sections 363, 366-A, 216, 120-B of the Indian Penal Code, 1860 (in short 'IPC') and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

Counsel for the petitioner has submitted that in the statement of victim recorded under Section 161 Cr.P.C. allegation against the petitioner is that on 04.05.2016 at about 11 PM Manoj, main accused in the case, called her telephonically and he had brought a car and there was another boy Tinku in the car. Manoj enticed her away on the pretext of performing marriage and brought her to Chandigarh. On the next day, she and Manoj went to Dehradun, stayed in a hotel for 4 days where Manoj developed physical relations. For 3 months, they stayed in Patiala and Manoj did wrong with her. It is further submitted that the petitioner is in

custody since 19.10.2016; challan has been presented in the Court and conclusion of trial is likely to take its own time.

Counsel for the State has opposed the bail plea with the submission that the petitioner accompanied the main accused when the girl was taken away.

I have heard counsel for the parties and perused the paper-book.

Be that as it may, the petitioner is no longer required for the purpose of investigation. The challan has already been presented in the Court. Conclusion of 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 he is released on bail.

Without commenting upon merits of the case, the petitioner shall be released on bail subject to 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 facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) he shall not leave India without previous permission of the Court.

FEBRUARY 9, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no