

220 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

**CRM-M-37400-2017 (O&M)**

Date of Decision: 10.10.2017.

Naresh Kumar

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM : Hon'ble Mr. Justice Jitendra Chauhan**

Present : Mr. Aditya Sanghi, Advocate,  
for the petitioner.

Ms. Dimple Jain, AAG Haryana.

**JITENDRA CHAUHAN.J.(ORAL)**

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No. 39 dated 28.01.2017 registered under Sections 363 and 366-A IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 at Police Station City, Narnaul, District Mahendergarh.

Learned counsel for the petitioner contends that the the petitioner has been falsely implicated in the present case. The petitioner is young boy of 20 years of age, had a love affair. The prosecutrix while appearing as PW-3 has not supported the case of the prosecution. She has stated that she had gone with the accused on her own. It is further contended that the petitioner is in custody since 29.01.2017.

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

Heard.

Considering the fact that the petitioner is a young boy of 20 years of age; the prosecutrix has not supported the case of the prosecution; the challan stands already presented, the petitioner is in custody since 29.01.2017, out of 14 prosecution witnesses, 6 have been examined so far, therefore, it can be safely inferred that the completion of trial will take a long time so, without commenting on the merits of the 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 trial Court/duty Magistrate concerned.

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

10.10.2017.  
SN

**(JITENDRA CHAUHAN)**  
**JUDGE**

|                                    |               |
|------------------------------------|---------------|
| <b>Whether speaking/reasoned :</b> | <b>Yes/No</b> |
| <b>Whether reportable :</b>        | <b>Yes/No</b> |