

CRM-M-39235-2017

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

CRM-M-39235-2017 (O&M)
Date of decision : 26.10.2017

Vikram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Kotla, Advocate for the petitioner.

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

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.42 dated 17.07.2017, registered under Sections 363, 366-A and 450 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, at Women P.S. Fatehabad.

Contends that the petitioner and the prosecutrix being in love, wish to marry each other. He refers to the statement of the prosecutrix recorded under Section 164 Cr.P.C., wherein, she has stated that she wilfully accompanied the petitioner and she is awaiting the petitioner to attain majority. The petitioner is in custody since 24.07.2017.

The aforesaid factual aspect of the matter has not been disputed by learned State counsel. She, on instructions, states that the challan stands presented and charges have been framed.

Heard.

Keeping in view the statement of the prosecutrix recorded under Section 164 Cr.P.C. and the fact that the petitioner is in custody since

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24.07.2017, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

26.10.2017

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**(JITENDRA CHAUHAN)
JUDGE**

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