

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

CRM M-39712 of 2017.

Date of Decision: 30.10.2017.

Sunil @ Sina @ Haseena

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. R.S. Budhwar, 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. 539 dated 29.09.2016 registered under Sections 363 and 366-A IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 at Police Station Sonapat City, District Sonipat.

Learned counsel for the petitioner contends that the prosecutrix is not coming forward to depose before the trial Court. Even the trial Court has issued warrants for her appearance but despite that she has not caused appearance. The petitioner is in custody since 24.10.2016.

On the other hand, the learned State counsel opposes the bail application. It is submitted that the trial Court is adopting coercive methods to secure the presence of the prosecutrix.

Heard.

Considering the fact that the challan stands already presented, the petitioner is in custody since 24.10.2016, out of 12 prosecution witnesses, only two have been examined so far, therefore, it can be safely inferred that the completion of trial will take a long time particularly considering the fact that the prosecutrix is not coming forward to depose in the Court, 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.

30.10.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No