

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

**CRM M- 40115 of 2017.**

Date of Decision: 02.11.2017.

Rahul

... Petitioner

Versus

State of Haryana

... Respondent

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

Present : Mr. K.B. Raheja, Advocate,  
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

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

This is second bail application filed under Section 439 Cr.P.C seeking bail in case FIR No.32 dated 21.03.2017 registered under Sections 363, 366-A, 452, 506, 376-D IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 at Police Station Women Cell, District Palwal.

The earlier bail application bearing CRM M-35098 of 2017 was dismissed as withdrawn with liberty to file fresh one with better particulars.

Learned counsel for the petitioner contends that the the petitioner has been falsely implicated in the present case. The petitioner is a young boy of 22 years of age. In her statement recorded under Section 164 Cr.P.C, the prosecutrix has not levelled any allegation against the petitioner. Rather she has stated that she went

along with the petitioner out of her own free will and no harm was caused to her. It is further contended that the petitioner is in custody since 13.07.2017.

On the other hand, the learned State counsel opposes prayer of the petitioner.

Heard.

Considering the statement of the prosecutrix and the fact that the challan stands already presented, the petitioner is in custody since 13.07.2017, out of 24 prosecution witnesses, none has 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.

02.11.2017.  
SN

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

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