

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

Crl. Misc. M- 42043 of 2017 (O&M)
Date of Decision: November 13, 2017

Anil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ajit Malik, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

CRM-35653-2017

Allowed, as prayed for.

Main case

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.132 dated 15.04.2017, under Sections 328, 342, 366-A, 506, 34 of Indian Penal Code and Section 6 of POCSO Act, registered at Police Station Safidon, District Jind.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 25.06.2017. It is argued that the offences, as alleged in the FIR, are not made out since the petitioner and the prosecutrix had solemnized a marriage on 11.03.2017. It

is also contended that investigation is complete and charges have been framed, therefore, petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer opposes the grant of regular bail. However, he is not in a position to dispute that the petitioner and the prosecutrix had got married, by relying upon their marriage certificate.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts investigation is complete and charges have been framed, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

November 13, 2017

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No