

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

CRM M-43407 of 2017 (O&M)

Date of Decision: 21.11.2017.

Tarif

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Jamshed Ahmed, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG Haryana.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No.10 dated 30.01.2017 registered under Sections 342 and 506 IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 at Women Police Station, Nuh.

Learned counsel for the petitioner contends that there is unexplained delay of 5 days in registering the FIR. The occurrence took place on 25.01.2017 whereas, the FIR was registered on 30.01.2017. He further contends that the material witnesses including the victim as well as complainant have been examined. There are material contradictions in the statement of the prosecutrix with regard to the alleged place of occurrence. The petitioner is in custody since 28.04.2015.

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

Heard.

Considering the fact that the challan stands already presented, the petitioner is in custody since 28.04.2015, the material witnesses have been examined, 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.

21.11.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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