

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

**CRM-M-5166 of 2017
Date of Decision: 22.02.2017**

Lucky **.....Petitioner**

Vs.

State of U.T.Chandigarh **.....Respondents**

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Mandeep Kumar Dhot, Advocate, for the petitioner.

Mr.D.S.Virk, Advocate, for U.T. Chandigarh.

RITU BAHRI, J. (ORAL)

The prayer in the instant petition filed under Section 439 Cr.P.C. is for grant of regular bail in FIR No.149 dated 01.08.2016 for the offence under Sections 363/366/376-D/506 IPC and Sections 4, 6 and 12 of POCSO Act, registered at P.S.Sector-36, U.T. Chandigarh.

Learned counsel for the petitioner submits that vide order dated 23.11.2016 passed by ASJ-JSC/Chandigarh, mother of the prosecutrix was given up and remaining witnesses were to be examined for 08.12.2016. CFSL report has not been received till yet. He has also shown the information given by at the time of medical examination that it was a case of sexual assault by the boys.

Since the complainant itself has been given up by the prosecution, the petitioner has to face a trial only with regard to sexual assault. Petitioner is in custody since 01.08.2016.

Keeping in view the above and considering the fact that trial is not likely to mature in near future, petitioner be released on regular bail on furnishing his fresh bail bonds/sureties to the satisfaction of Duty Magistrate/Illaqa Magistrate, Chandigarh.

**(RITU BAHRI)
JUDGE**

22.02.2017
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