

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

**CRR No.4698 of 2016
Date of Decision: 19.01.2017**

Khurshid

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Bhuprnder Singh, Advocate, for the petitioner.

Ms.Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (ORAL)

The petitioner is a juvenile has come up in revision petition against the orders dated 05.09.2016 passed by the Principal Magistrate, Juvenile Justice Board and against the order dated 04.10.2016 passed by learned additional Sessions Judge, Faridabad, whereby, the appeal of the petitioner was dismissed.

Statement of victim has been placed on record as Annexure P-3, where in her cross-examination, she had admitted that accused-Anil and Khurshid had done wrong act with her and no injuries suffered by her as per statement suffered by her.

Learned counsel for the petitioner submits that the name of the petitioner has been added with an ulterior motive to implicate the petitioner, in fact, from the statement of the complainant/prosecutrix the petitioner is not even connected with the offence. He further submits that statement of prosecutrix/complainant along with three other witnesses had been recorded on 06.12.2016, wherein the prosecutrix had named Anil co-accused and

regarding the petitioner she had just made passing reference just to implicate him in the present case. Petitioner is in custody since 05.07.2016.

Keeping in view the contention made by counsel for the petitioner and the fact that the petitioner was named by the main-accused Anil and the trial is not likely to come its own conclusion in near future, the orders dated 05.09.2016 passed by the Principal Magistrate, Juvenile Justice Board, Faridabad and the order dated 04.10.2016 dismissing the bail application of the petitioner passed by learned additional Sessions Judge, Faridabad, are set aside and petitioner is ordered to be released on regular bail on furnishing the fresh bail bonds/surety bonds to the satisfaction of Duty Magistrate/Illaqa Magistrate, Faridabad.

(RITU BAHRI)
JUDGE

19.01.2017
anil

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