

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-19187 of 2018

Date of Decision: 13.9.2018

Ankit @ Titiri

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ajay Ghangas, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 492 dated 9.7.2017 registered at Police Station Samalkha, District Panipat under Sections 363, 366-A, 376 IPC and Section 6 of POCSO Act.

Reply has been filed by the State which is taken on record.

Counsel for the petitioner contends that the petitioner is in custody since 15.7.2017 and the daughter of the complainant had left the house on the night of 8.7.2017 and she returned the next day and again left the house and this fact was disclosed by the prosecutrix in her statement (Annexure P-2). The counsel further submits that her medical report would show that the hymen was old and ruptured and there was no sign of fresh assault and in the FSL report no semen was found.

The petitioner is in custody for over a year. An application has been filed under Section 311 Cr.P.C. which is yet to be decided. The trial would take time.

Without commenting anything on the merits of the case, the

petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

September 13, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No