

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-39025 of 2018

Date of Decision: 21.9.2018

Pritpal Singh @ Prince

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Arun Sharma, Advocate
for the petitioner.

Ms. Priyaka Sadar, AAG, Haryana.

ANITA CHAUDHRY, J

This is the third petition filed by the petitioner seeking regular bail in FIR No. 110 dated 31.7.2017 registered at Police Station Women Ambala, District Ambala under Sections 4/16 of POCSO Act, Section 3 of SC/ST Act and Section 506 IPC.

Copy of the orders passed on the first and second bail applications have been placed on record. The Court was not inclined to grant bail earlier and the first petition was withdrawn. On the second application, it was noted that the statement of the victim was yet to be recorded.

Counsel for the petitioner contends that the statement of the prosecutrix has been recorded and the petitioner is in custody since 2.8.2017 and the incident is said to have occurred on 21.7.2017 but the FIR was lodged 10 days later and the medical does not support the prosecution version and there is no reference to the hymen. The counsel further states that in the statement recorded under Section 164 Cr.P.C. the victim has

stated that Prince had refused to marry her.

The medical report shows that no swabs were taken as the victim had approached the medical officers after a long delay. The statement of the victim has been recorded. The trial is taking time.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, 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 21, 2018
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No