

CRM-M-48168-2018

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

**CRM-M-48168-2018 (O&M)
Date of decision : 12.11.2018**

DEEPAK

.....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajesh Bansal, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking regular bail in FIR No. 126 dated 10.02.2018, registered under Sections 365 IPC (Sections 363, 366-A, 506 IPC and Section 4 of the POCSO Act added later on), Police Station Model Town, Panipat, District Panipat.

Counsel for the petitioner contends that the petitioner is in custody since 14.02.2018 and the prosecutrix has not supported the prosecution at the trial and they have placed on record the statement made by her in the Court. Counsel further contends that the couple had approached the High Court for protection and the petitioner had married the girl. Counsel refers to the petition filed under Section 482 Cr.P.C.

State counsel informs that the victim had made a statement against the petitioner in her statement under Section 164 Cr.P.C. and hymen

was ruptured and the protection petition had been withdrawn by the petitioners.

The victim has not supported the prosecution version at the trial. The trial would take long time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate.

12.11.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No