

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

Crl. Misc. M-47471 of 2017 (O&M)

Date of Decision: January 08, 2018

Naveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Gupta, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.385 dated 18.07.2017, under Sections 363, 366-A, 120-B of Indian Penal Code and Section 4 of POCSO Act, registered at Police Station Yamuna Nagar City, District Yamuna Nagar.

Learned counsel for the petitioner would contend that a reading of the statement of the prosecutrix recorded under Section 164 Cr.P.C. would reflect that niece of the complainant had voluntarily left her residential home and she wanted to get married to the petitioner. Even in the statement that has been recorded before the court, she has categorically stated that she had left her home voluntarily and afterwards had called the

petitioner and thereafter went to Haridwar and solemnize a marriage there. It is argued that statement of the prosecutrix has been recorded and trial is likely to take some time to conclude, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail, while submitting that the offences alleged against the petitioner are serious in nature.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the fact that statement of the prosecutrix has been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

January 08, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No