

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-48540 of 2017

Date of Decision: 19.2.2018

Ajay

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sandeep Beriwal, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Neena Rani.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No. 169 dated 15.6.2017 registered at Police Station Chandimandir, District Panchkula under Sections 506, 363 IPC and Section 6 of POCSO Act, 2012.

Learned counsel for the petitioner contends that the petitioner is in custody since 27.06.2017 and the prosecutrix and her father have been examined though the father turned hostile with respect to one person. Counsel further submits that the victim had named a number of people and as against the petitioner the allegation was that he had raped her in April, 2017 and thereafter she did not meet him. Counsel further submits that the hymen was micro perforated and the trial Court will have to find out if infact the girl had been molested.

The State counsel states that the FSL report has not been received.

The MLR does not indicate any swelling or redness or any other sign. The hymen is described as micro perforated. The victim and the father have been examined.

The trial will take 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 local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

(ANITA CHAUDHRY)
JUDGE

February 19, 2018

ps-I

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No