

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

Crl. Misc. No.M- 54212 of 2018

Date of decision : 13.12.2018

Sahil @ Happy

....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. G.S. Thind, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 161 dated 17.04.2018, registered under Sections 363, 366-A, 34 IPC and Section 10 of the POCSO Act (Charge framed under Section 12 of the POCSO Act), Police Station Kundli, District Sonapat.

Counsel for the petitioner contends that the petitioner is in custody since 18.04.2018 and charge has been framed and no witness has been examined. The counsel further submits that the girl was recovered after three days and she had not made any allegation of rape against the petitioner and she had said that their marriage could not be solemnized as before that the police found them.

The State counsel informs that the victim has not levelled allegations of rape and she had refused to get her medical done.

Considering the circumstances but without commenting on 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.

13.12.2018
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No