

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

CRM-M-17137-2019

Date of decision:18.9.2019

AJRU

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Munfaid Khan, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.2 dated 2.1.2018 under Sections 363 & 366-A IPC and Section 6 of POCSO Act, Police Station Pinangwan, District Nuh.
2. The FIR was lodged at the instance of Umar Mohammad father of the victim wherein it has been alleged that on 31.12.2017 when his daughter was going towards fields to answer the call of nature, she was abducted by two persons who had come on motorcycle by brandishing knife and was taken away on motorcycle to fields situated near Pinangwan where she was raped by aforesaid two persons.
3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and after presentation of challan, when the complainant and victim stepped into witness box, they

completely resiled from their earlier statements and have not identified the petitioner to be accused.

3. The aforestated position regarding complainant and victim having resiled is not disputed by learned State counsel.
4. Having regard to the aforesaid factual aspect i.e. regarding resiling of the victim and the complainant from their earlier statements, present case is not such a case which would warrant detention of petitioner at this stage. Accordingly the petition is accepted and the interim directions issued vide dated 12.4.2019 by this Court are hereby made absolute subject to the condition that the petitioner would appear before the Trial Court regularly with liberty to Trial Court to impose any other condition as deemed fit to ensure regular appearance of the petitioner during proceedings of trial.

**(GURVINDER SINGH GILL)
JUDGE**

18.9.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**