

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

231

CRM-M-20377-2019

Date of Decision: 10.05.2019

Rohit alias Jony

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Virender Mandhan, Advocate,
for the petitioner.**

Ms. Priyanka Sadar, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.040 dated 09.03.2019 under Sections 363, 366-A, 506, 120-B IPC and Section 4 of the POCSO Act, registered at Police Station Bilaspur, District Yamuna Nagar.

Learned counsel for the petitioner has argued that the earlier petition filed by the petitioner bearing CRM-M-15520-2019 was dismissed as withdrawn as there were some typographical error in not incorporating two provisions of the offence in the head-note. He states that the petitioner is in custody since 10.03.2019. The incident is of 06.03.2019 and the FIR was registered on 09.03.2019 i.e. after a gap of three days. In fact sister of the complainant (Goldie) has approached this Court by way of CRM-M-10545-2019 with the grievance that her parents are marrying her off against her wishes and in violation of the law. The said petition has been rendered infructuous as Goldie has attained the age of majority. The allegation against the petitioner is that the petitioner has enticed the sister of the

complainant. Rather, the petitioner has given protection to the girl from her parents/complainant, who were adamant to forcibly marrying her against her wishes.

Learned State Counsel, on instructions from SI Balbeer, has argued that the date of birth of Goldie is 18.04.2001 and now she has attained 18 years of age and Goldie has made a statement under Section 164 Cr.P.C. showing her intention not to go with her parents as she apprehends threat from them.

Heard learned counsel for the parties.

Considering the fact that now Goldie is already living at Nari Niketan, Karnal, petitioner is in custody since 10.03.2019 and trial in the case will take sufficient long time, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be construed as an expression on the merits of the case. The trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

May 10, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No