

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

CRM-M-42716-2019

Date of decision:15.10.2019

BRIJESH KUMAR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

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

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.341 dated 23.6.2019 under Sections 346, 342, 201 IPC and Section 4/20 of POCSO Act, Police Station Sector 9-A, Gurugram.
2. The FIR was lodged at the instance of Akhilesh Kumar wherein it has been alleged that his daughter aged about 16 years went missing on 19.6.2019 and despite having made efforts for searching her she could not be found.
3. Learned counsel for the petitioner has submitted that he is not named in the FIR and was subsequently nominated as an accused but in any case as of now i.e. after presentation of the challan, the material PWs including

the victim and complainant have already been examined and who had not supported the case of prosecution at all.

4. The aforestated position is not disputed by learned State counsel.
5. In view of the aforestated factual position, wherein the material witnesses have not supported the case of prosecution, further detention of the petitioner will not serve any fruitful purpose. The petition, as such, is accepted and it is ordered that petitioner be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

**(GURVINDER SINGH GILL)
JUDGE**

15.10.2019
Gaurav Sorot

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

Whether reportable? **Yes / No**