

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

CRM-M- 807-2020 (O&M)

Date of Decision: January 29, 2020

Jitender

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Namit Khurana, Advocate
for the petitioner.

Ms. Trishanjali Chopra, Asst. A.G., Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail pending trial to the petitioner in case FIR No.34 dated 29.01.2019, under Sections 363 and 366-A Indian Penal Code and Section 6 of the POCSO Act, 2012, registered at Police Station Madhuban, District Karnal.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 25.02.2019. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that the matter in fact has been compromised between the parties and as per the compromise arrived at between the parties, the

petitioner and the prosecutrix would solemnize marriage on attaining the age of majority by the prosecutrix and that the conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

On the asking of the Court, learned counsel appearing on behalf of respondent-State has verified the genuineness of the compromise and does not dispute the fact that statement of the prosecutrix has been recorded and the matter has been compromised between the parties.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and the petitioner herein has been in custody since 25.02.2019 and statement of the prosecutrix has been recorded whereas the matter has been compromised between the parties and as per the compromise, the petitioner and the prosecutrix are going to solemnize marriage, on attaining of the age of majority by the prosecutrix, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

January 29, 2020
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No