

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM-M No. 6692 of 2020
Date of decision : February 19, 2020

Sunny Raj @ Sunny

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. Atul Yadav, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG., Haryana.

Manjari Nehru Kaul, J (oral).

Instant petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No. 337 dated 22.7.2019 registered under Sections 363,366 IPC and Section 4 of POCSO Act at Police Station Bilaspur, Distrit Gurugram.

Learned counsel for the petitioner inter alia contends that the petitioner and the victim were in the relationship with each other which would be evident from the fact that the complainant who is father of the victim in his first statement itself raised suspicion of the petitioner having lured the victim on the pretext of marriage. It has further been submitted that there is a discrepancy qua the actual date of birth of the victim. On one hand, in her matriculation certificate her date of birth has been mentioned as 10.10.2003 while as per the birth certificate her date of birth is 3.11.2001.

On the other hand, learned State counsel while opposing the grant of regular bail to the petitioner has not been able to controvert the discrepancy qua the age of the victim. He, on instructions from ASI Mohd.

ARCHANA ARORA
2020.02.20 10:28
I attest to the accuracy and
integrity of this document

Jaid has submitted that out of total 16 prosecution witnesses cited 5 witnesses including the complainant and the victim have been examined as on date.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is behind bars since 24.07.2019 and the trial is unlikely to conclude in the near future, no useful purpose would be served in keeping the petitioner in custody. In the circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned.

(MANJARI NEHRU KAUL)
JUDGE

February 19, 2020
archana

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No