

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13245-2020

Date of Decision: 10.06.2020

Jile Singh @ Jily Singh @ Zile Singh and another

.....Petitioners

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rajesh Garg, Senior Advocate, with
Mr. Rakesh Dhiman, Advocate,
for the petitioners.

Mr. Manish Bansal, D.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

This petition has been filed under the provisions of Section 439 of the Cr.P.C. for grant of 'regular bail' to the petitioners in case FIR no. 23 dated 19.03.2020, registered at Police Station Women Palwal, District Palwal, for the alleged commission of offences punishable under Sections 354-A, 323, 506 120-B and 34 of the IPC and Section 10 of the Protection of Children from Sexual Offences Act, 2012.

Mr. Garg, learned counsel for the petitioners, submits that as a matter of fact the father of the complainant (prosecutrix) lodged a complaint on 14.03.2020, stating therein that his daughter had been abducted by some persons, after which on 18.03.2020 he named four persons who had done so (not the petitioners).

He submits that thereafter, on 19.03.2020, the present complaint was lodged by the girl, making allegations against two of her uncles, further stating that in fact even her parents supported them.

Subsequently, on 20.05.2020, she made a statement on affidavit to the effect that she in fact had got married to one Jatinder (an accused in the complaint by her father), and that she had no grievance against either her parents or her uncles and that her complaint “was a mistake”.

Mr. Garg submits that now the complaint is being pursued by the police only because the girl is a minor and the provisions of the POCSO Act, 2012, have also been invoked.

Learned State counsel factually does not deny the fact that the girl has even submitted the aforesaid affidavit on 20.05.2020.

Keeping in view the above facts, without making any comment at this stage, on the nature of the complaint made, the petition is allowed. The petitioners shall be admitted to bail upon their furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial court/Chief Judicial Magistrate/Duty Magistrate concerned.

June 10, 2020
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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE

Yes
No.