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

**CRM-M-15493-2020 (O&M)
Date of Decision: 02.07.2020**

Akram

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Raghav Dayal Gupta, Advocate,
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

CRM-13628-2020:

Allowed as prayed for, subject to all just exceptions.

CRM-M-15493-2020:

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.59 dated 05.05.2019, under Sections 363, 366-A, 34 and 376 of the Indian Penal Code, registered at Police Station Chachhrauli, Yamuna Nagar.

[2]. The petitioner was arrested on 28.05.2019. Thereafter, investigation against him has since been completed and challan submitted.

[3]. In her deposition before the Ld. Trial Court, the victim had turned hostile and resiled from her alleged incriminating statement given basically against the co-accused Sadik in her examination under Section 164

be about 15 years.

[4]. But from the Registers led into evidence through PW-7, the Women and Child Development Project Officer, Chhachhrauli, it transpires that the victim's Date of Birth is 14.12.2000, which means that she had already crossed the age of majority at the time of the alleged offence in which she subsequently chose to exonerate the accused in the Court.

[5]. In such circumstances, further detention of the petitioner, who was not even named in the original FIR, for an indefinite period, at this stage, is not warranted.

[6]. In view of the above, the petitioner is ordered to be released on regular bail, subject to the appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[7]. Disposed off.

02.07.2020

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No