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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.17100 of 2020(O&M)
Date of decision: 24.07.2020

'V' (name withheld) through his father Sandeep

.....Petitioner

V/s.

State of Haryana

.....Respondent

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Abhimanyu Singh, Advocate, for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Haryana.

Sanjay Kumar, J.
CRM-17756-2020

This application is ordered, permitting the father to represent the petitioner herein, a minor.

The amended memo of parties is taken on record.

CRM-M No.17100 of 2020

The petitioner is a minor, aged over 17 years. He is represented by his father. By way of this petition, he seeks regular bail in FIR No. 74 dated 26.02.2019 on the file of Police Station Madhuban, Karnal, District Karnal, registered under Sections 4 of Protection of Children from Sexual Offences Act, 2012 (for short, 'the POSCO Act')

The case of the prosecution was that the petitioner committed offences upon another minor boy during the night hours of 24.02.2019 and

again during the morning hours of 25.02.2019, attracting Section 4 of the POSCO Act. However, the report of the Forensic Science Laboratory, Madhuban, did not support the prosecution's case. Further, the victim-minor boy and his mother failed to support the prosecution's case before the trial Court. The medico-legal report also did not evidence any penetrative sexual assault upon the victim.

Given the totality of the aforestated circumstances, this Court is inclined to grant relief to the petitioner, who has been in custody since 06.03.2019.

The petition is accordingly allowed directing the release of the petitioner on regular bail in FIR No. 74 dated 26.02.2019 on the file of Police Station Madhuban, Karnal, District Karnal, upon his father furnishing a personal bond for a sum of Rs. 20,000/- along with two sureties for a like sum each to the satisfaction of the Illaqa/Duty Magistrate concerned.

(SANJAY KUMAR)
JUDGE

24.07.2020

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no