

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-18784-2020
(Heard through VC)
Date of decision: 31.07.2020

Sunil @ Sethi**....Petitioner****V/s.****State of Haryana****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Sandeep Gahlawat, Advocate for the petitioner.

Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case F.I.R. No. 424 dated 10.12.2019 (Annexure P-1) under Sections 323, 341, 363, 366-A, 506 IPC and Section 8 of the POSCO Act, 2012 registered at Police Station Sadar, Narwana District Jind.

Learned counsel for the petitioner submits that FIR (Annexure P-1) was registered on 10.12.2019 and the petitioner was arrested on 11.12.2019. Learned counsel for the petitioner states that as per the allegations, he has enticed the prosecutrix who is the complainant in the FIR (Annexure P-1) and molested her. In the FIR (Annexure P-1) challan has been presented and charges have been framed against the petitioner. However, prosecution evidence has not been started. Learned counsel for the petitioner further states that there are 12 witnesses to be examined in this case. He further states that second FIR i.e. 0029 (Annexure P-7) had been registered on 07.02.2020 by the father of prosecutrix who has gone missing.

Notice of motion.

Ms. Mahima Yashpal, Deputy Advocate General, Haryana, accepts notice on behalf of the State. She on instructions from Inspector Mahinder Singh informs that the daughter of the complainant is not found till date. Further as per the allegations in the second FIR (Annexure P-7), the suspicion is on the petitioner. Since the petitioner has been in custody for almost 8 months and that trial may still take some time for its conclusion, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate. However since the name of the petitioner has been mentioned in the second FIR (Annexure P-7), he is restrained from making any contact with the family members of the complainant.

31.07.2020

Divyanshi

**RITU BAHRI
(JUDGE)****Whether speaking/reasoned:
Whether reportable:****Yes/No
Yes/No**