

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-19343-2020
(Heard through VC)
Date of decision: 06.08.2020

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

Present: Mr. Namit Khurana, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

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. 33 dated 20.01.2020 under Sections 363, 366-A of Indian Penal Code, 1860 and Section 4 of POSCO Act, 2012 registered at Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner refers to the statement given by prosecutrix (Annexure P-2) which was recorded on 23.01.2020 when petitioner had already been arrested and in this statement she specifically stated that her parents were pressuring her to get married with a boy of elder age and she went Haridwar after leaving the house on 03.01.2020 on her own free will. He further states that after a gap of two months another statement of prosecutrix was recorded on 04.03.2020 (Annexure P-3) in which she stated that sister of the petitioner i.e. Sunita was her friend and she went to her house and then Sunil i.e. brother of Sunita committed wrong act with her, made her video and threatened her to upload the video on the internet if she did not accompany him.

Learned counsel for the State, on instructions from ASI Dal Singh, informed that the petitioner was arrested on 21.04.2020 and after presentation of challan, 19 witnesses have to be examined and charges are yet to be framed. The prosecutrix has given two contradictory statements (Annexures P-2 and P-3). However one thing is common between the two statements i.e. the prosecutrix was known to the sister of the petitioner.

Keeping in view above and the fact that the trial is not likely to be concluded in the near future because of the prevailing COVID-19 pandemic situation, 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.

06.08.2020

Divyanshi

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