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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-20981-2020
Date of Decision: 11.08.2020

Aakash

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Arpandeeep Narula, Advocate for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

This is a petition for regular bail under Section 439 Code of Criminal Procedure on behalf of the petitioner in case FIR No.185 dated 21.08.2019, under Sections 363 and 366-A of the IPC, 1860 & under Section 6 of the POCSO Act, 2012, registered at Police Station Sadar Sirsa, District Sirsa.

[2]. The petitioner was arrested on 23.08.2019, after it was alleged by the complainant that her daughter and niece both minor girls had been enticed away by the petitioner and co-accused-Devender.

[3]. After completion of investigation, Challan had already been submitted against the petitioner.

[4]. It transpires that both the alleged victims in their statements under Section 164 Cr.P.C (Annexures P-2 and P-3) stated that they had voluntarily gone with the petitioner and the co-accused Devender and enjoyed their trip to Faridabad. They made no statements to the effect that they were subjected to any kind of molestation by any of the accused

persons.

[5]. In fact, the aforesaid victims even refused to undergo their Medical Examinations by telling the Doctor that no rape had been committed upon them.

[6]. In the totality of the circumstances, considering the long detention undergone by the petitioner, which is almost of an year by now and the fact that the trial is yet to commence and is likely to take its own substantial time to conclude on account of ongoing Covid-19 Pandemic, he is ordered to be released on regular bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[8]. Disposed off.

11.08.2020

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**(SUDIP AHLUWALIA)
JUDGE**

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