

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-30504-2020 (O&M)****Date of decision: 06.10.2020****(Heard through VC)****Sonu Singh****....Petitioner****V/s.****State of Haryana****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Anirudh Indora, Advocate for the petitioner.

Ms. Sheenu Sura, 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. 183 dated 05.07.2019 under Sections 34, 342, 363, 366-A, 506 of Indian Penal Code, 1860 and Section 4 of POCSO Act 2012 registered at Police Station City Ratia.

Learned counsel for the petitioner contends that after presentation of challan, complainant has not chosen to appear before the trial Court. He refers to order dated 15.01.2020 (Annexure P-3) passed by the trial Court summoning three main witnesses i.e. Ashwarya, Prem Bala and Satpal through bailable warrants in the sum of Rs. 5,000/- each with one surety in the like amount for 15.02.2020. The petitioner's family and complainant belong to same village and the girl went to the house of petitioner with the sister of the petitioner as per the statement made by the prosecutrix. The petitioner is in custody since 06.07.2019.

Keeping in view the fact that despite the challan being presented, the complainant has not chosen to appear before the trial Court and till date none of the witnesses of the complainant has been examined

and the fact that trial is not likely to conclude in near future, 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.

Pending application stands disposed of.

06.10.2020

Divyanshi

**RITU BAHRI
(JUDGE)**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No