

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-30425-2020****Date of decision: 08.10.2020****(Heard through VC)****Ishwar Singh****....Petitioner****V/s.****State of Haryana****.....Respondent****CORAM: HON'BLE MS. JUSTICE RITU BAHRI.**

Present: Mr. Rohit Mittal, 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. 419 dated 08.07.2020 under Sections 363 and 366-A of Indian Penal Code, 1860 and Section 6 of POCSO Act, 2012 registered at Police Station Model Town, Rewari.

Learned counsel for the petitioner refers to the statement recorded under Section 164 Cr.P.C. (Annexure P-3) given by daughter of the complainant in which she admitted that she performed marriage with the petitioner in Arya Samaj Mandir, Delhi with her own consent.

Learned counsel for the State, on instructions from ASI Balwati informs that daughter of the complaint is presently residing with her parents. However she is not disputing the statement under Section 164 Cr.P.C. (Annexure P-3) given by daughter of the complainant. She further states that challan has been filed on 09.09.2020 and petitioner is in custody since 12.07.2020. The daughter of the complainant is more than 17 years of age.

Keeping in view the statement recorded under Section 164 Cr.P.C. by daughter of the complainant 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.

08.10.2020**Divyanshi****RITU BAHRI
(JUDGE)****Whether speaking/reasoned:****Yes/No****Whether reportable:****Yes/No**