

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No. M-30435 of 2020
Date of decision 28.10.2020

Mandeep

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Yashveer Kharb, Advocate,
for the petitioner.

Ms. Sheenu Sura, D.A.G. Haryana

Mr. Saurabh Sharma, Advocate
for the complainant

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Ritu Bahri, J. (Oral)

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No. 446 dated 05.06.2020, under Sections 6/14 of POCSO Act and Section 506 IPC (Section 376-AB IPC added lateron) registered at Police Station Model Town, District Panipat.

At the very outset, learned counsel for the petitioner submits that there is delay of more than one month in lodging the F.I.R. It has further been argued that the victim in her statement on 06.06.2020 under Section 164 Cr.P.C has stated that the alleged date of occurrence is about 2 to 2 ½ months prior to her statement. Reference has been made to affidavit dated 01.07.2020 (P-4) of the complainant wherein it was stated that the F.I.R was registered at the instance and pressure of Aarti and Sudesh, as he was threatened by them that if the complainant will not implicate the present

petitioner, then they will spread rumours and video of her daughters in the society.

In compliance of order dated 06.10.2020, learned State counsel has informed that videography is part of the challan. The petitioner is in custody since 05.06.2020

Learned counsel for the complainant has appeared today and has stated that the complainant has no objection if the petitioner is granted regular bail. He further stated that the affidavit (P-4) is genuine and is without pressure.

Heard.

Keeping in view the COVID 19 situation and the fact that trial will 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 petitioner is ordered to be enlarged on bail, subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Panipat.

28.10.2020

G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No