

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

(Sr. No. 224)

**CRM-M No. 22614 of 2022**

**Date of decision : 18.07.2022**

**Naveen**

..... Petitioner

*Versus*

**State of Haryana**

..... Respondent

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present : Mr. Vikas Lochab, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

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**DEEPAK SIBAL, J. (Oral)**

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.371 dated 26.09.2021 registered under Section 365 (Sections 6 and 18 of the Protection of Children from Sexual Offences Act, 2012 and Sections 354, 354-B, 365, 376 and 511 IPC added later on) at Police Station Barauda, district Sonipat.

The petitioner is being prosecuted for having kidnapped, molested and then raped a minor girl.

Learned counsel for the petitioner submits that the petitioner, who is a 20 year old boy with no criminal antecedents, has been falsely implicated in this case; the petitioner is in custody since 30.09.2021; the prosecutrix, her father (complainant) and her mother while appearing before the Trial Court have deposed with regard to the petitioner's innocence; in the

FSL report no semen has been detected; all the material prosecution witnesses have already been examined and that since in the petitioner's trial 16 prosecution witnesses still remain to be examined, the same will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that he kidnapped, molested and then raped a minor girl.

The prosecutrix, her father (complainant) and her mother while appearing before the Trial Court have specifically deposed that it was not the petitioner who had committed the crime of which he is accused of; in the FSL report no semen has been detected; all the material prosecution witnesses have already been examined and that since in the petitioner's trial 16 prosecution witnesses still remain to be examined, the same is likely to take a long time to conclude.

Keeping in view the above facts in totality, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Sonipat, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

**18.07.2022**  
*sunil yadav*

**( DEEPAK SIBAL )**  
**JUDGE**

Whether speaking/reasoned : Yes / No  
Whether reportable : Yes / No