

230 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41316-2022 (O&M)

Date of Decision:14.09.2022

VISHAL

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Parveen Kumar, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

VIVEK PURI, J.(ORAL)

The petitioner is seeking regular bail in the case bearing FIR No.338 dated 22.06.2022 under Sections 363, 366-A and 120-B IPC registered at Police Station KUK, District Kurukshetra.

Custody certificate has been placed on record.

Briefly, the FIR has been registered on the allegations that on 20.06.2022, the victim, who is stated to be aged about 17 years, went missing from the house. The victim was spotted on the same day at about 8:00 P.M alongwith the petitioner and another person on a motorcycle by the father of the victim and his brother-in-law. One of the persons managed to run away and the petitioner was apprehended at the spot.

Learned counsel for the petitioner contends that the other person was subsequently arrested and he being a juvenile has been released on bail. The statement of the victim under Section 164 Cr.P.C. has been recorded, wherein she does not implicate the petitioner with the commission of crime. The petitioner is in custody for a period of 02 months and 19 days and not involved in any other case. The investigation of the case is complete and challan has been presented.

Learned State counsel has opposed the bail application on the score that the age of the victim was less than 18 years at the time of occurrence and she was supported while she was in the company of the petitioner.

It may be mentioned here that in her statement under Section 164 Cr.P.C., the victim has not levelled any allegation of threat, pressure or allurement exercised upon her by the petitioner. There is no allegation of commission of sexual assault. The investigation of the case is complete and challan has been presented in the Court. The petitioner is in custody for a period of 02 months and 19 days and not involved in any other case. The conclusion of trial is likely to take some time and no fruitful purpose will be served by detaining the petitioner behind the bars.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, without making any observation on the merits of the case, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate//Duty Magistrate.

14.09.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No