

**209 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-42014-2022
Date of Decision: 19th September, 2022**

Soni

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Mohinder Pal, Advocate for the petitioner.
Mr. Gurmeet Singh, AAG, Haryana.

AVNEESH JHINGAN , J.(Oral)

1. This second petition is filed seeking regular bail in case FIR No.49, dated 2nd June, 2019, under Sections 363, 366-A IPC (afterwards added Sections 376(2)(n), 506 of Indian Penal Code, 1860 and Section 6 of Protection of Children from the Sexual Offences Act, 2012 (for short 'the Act')), registered at Police Station Rori, District Sirsa. The earlier petition was withdrawn with liberty to revive the prayer.

2. As per the case set up, complainant on 2nd June, 2019 alleged that his youngest daughter (victim) whose date of birth is 26th January, 2004 was not present in the house. The victim was recovered from the custody of applicant/petitioner (Soni). She was medically examined. Vaginal swabs were taken and sent to FSL.

3. Learned counsel for the petitioner submits that incident took place on 1st June, 2019. The clothes of the victim were collected on 5th June, 2019. The contention is that petitioner is in custody since 13th June, 2019 and trial is not proceeding at a decent pace. It is a case of false implication. He further submits that victim has not supported the case of the prosecution. He further submits that marriage of the victim was

solemnized in 2019, she is having two children and on the other hand,

petitioner is languishing in the Jail.

4. Learned State counsel opposes the prayer for grant of regular bail and submits that victim in her statement made on 4th June, 2019 supported the case of the prosecution. He further submits that human semen was detected and as per report received and the DNA matched with the petitioner.

5. At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition.

6. Dismissed as withdrawn.

(AVNEESH JHINGAN)
JUDGE

19th September, 2022
Parveen Sharma

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