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

**CRM-M-4827-2023
Date of Decision:- 05.05.2023**

Sumit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:-HON'BLE MS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ravinder Bangar, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, Assistant A.G. Haryana.

AMARJOT BHATTI, J. (Oral)

The petitioner – Sumit has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No. 295 dated 23.08.2022 under Sections 343, 363, 366-A of IPC and Section 9 of POCSO Act, registered at Police Station City Pehowa, District Kurukshetra.

The facts of the case are that the complainant – Kamla filed written complaint on 23.08.2022 alleging that she was residing in Prithudak Colony Pehowa for the last 15 years. Her younger daughter i.e. the victim was 15 years old, who was taken away by Sumit for getting married. With these allegations, the present FIR was registered. Investigation was carried out and the victim was recovered on 28.08.2022. The statement of the victim was recorded under Section 164 Cr.P.c. before the Judicial Magistrate, Pehowa on 29.08.2022. She was medically examined and Sumit was arrested on 29.08.2022. Investigation was completed and thereafter, challan was presented in the Court.

Learned counsel for the petitioner argued that he was arrested on 29.08.2022 and since then he is behind the bars. The allegations levelled against him are false. The statements of victim as PW-1 and her mother as PW-2 have been recorded, who have not supported the allegations. The trail of this case may take some time. He will abide by the terms of the bail order. Therefore, his regular bail may be allowed.

Learned counsel representing the State has filed detailed status report. It is confirmed that after completion of investigation, challan was presented on 29.11.2022. The chargesheet was also framed and out of 14 witnesses, 02 have been examined. It is argued that the allegations levelled against the present petitioner are serious in nature. Therefore, he is not entitled to be released on bail.

I have considered the arguments and have gone through the record carefully. I have also gone through the statements of victim recorded as PW-1 and mother of the victim as PW-2, who have not supported the prosecution case and were declared hostile. Trial of this case is under progress. Other prosecution witnesses are yet to be examined. The trial of this case may take time. Considering, the aforesaid facts, without expressing my mind on the merits of the case, the regular bail application filed by the petitioner – Sumit is allowed. He is ordered to be released on bail to the satisfaction of trial Court/Duty Judge concerned.

The petition is accordingly, accepted.

05.05.2023

Sunil Devi

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No