

CRM-M-7777-2023(O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

107+221

CRM-M-7777-2023(O & M)

Date of Decision:-10.05.2023

Pankaj Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr.Kamal Chaudhary, Advocate  
for the petitioner

Mr.Arjun Lakhanpal, Addl.AG.Haryana

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**ALOK JAIN, J. (Oral)**

**CRM-20761-2023**

The instant application has been filed for placing on record the statement of the prosecutrix (PW-1) and the statement of the mother of the prosecutrix (PW-2) as Annexures A-1 and A-2.

Application is allowed as prayed for, subject to all just exceptions. Annexures A-1 and A-2 are taken on record.

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1. Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.119 dated 21.05.2022, under Sections 376 and 506 of IPC, Section 6 of the POCSO Act and Section 3 of the SC/ST Act, registered at Police Station Women NIT, Faridabad.

2. Vide order dated 18.04.2023, learned State counsel was directed to file the status report and was advised to call the complainant/respondent No.2 to verify the correct facts and apprise her the

consequences for lodging a false FIR.

3. Learned counsel for the petitioner submits that in fact, the parties to the *lis* have performed marriage on 18.06.2020. He further submits that the petitioner is in custody since 28.05.2022. Learned counsel for the petitioner submits that, in fact, the testimony of the prosecutrix was recorded on 19.04.2023, in which she has resiled.

4. After hearing learned counsel for the parties and the fact that the prosecutrix has resiled and the parties have performed marriage, coupled with the fact that the petitioner is in custody since 28.05.2022 and the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

5. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. He shall, however, be released on the following conditions:

- I. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- II. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- III. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- IV. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

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6. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

10.05.2023

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(ALOK JAIN)  
JUDGE

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