

Sr.No.207

2023:PHHC:156910

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

CRM-M-57199-2023

Date of decision:07.12.2023

Rajmiri

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: Hon'ble Ms. Justice Harpreet Kaur Jeewan

Present: Mr. Surender Saini, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

Harpreet Kaur Jeewan, J.(Oral)

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.237 dated 05.05.2023 registered under Section 6 of POCSO Act, 2012, Sections 363, 366-A, 376-D, 506/34 of Indian Penal Code, 1860 and Section 84 of Juvenile Justice (Care and Protection of Children) Act, 2015 at Police Station Kharkhoda, Sonipat.

2. FIR was registered at the instance of the mother of the victim with the allegations that on 05.05.2023 at about 3:30 pm her daughter/victim who is aged about 15 years had gone missing. Initially the FIR was registered under Section 363, 366 IPC and Section 84 of Juvenile Justice Act, but later on Section 6 POCSO Act and 376D, 506/34 IPC were incorporated.

3. Learned counsel for the petitioner submits that challan has already been presented and statement of material witnesses have already been recorded .

4. On the other hand, learned State counsel opposes the bail on the ground that the allegations levelled against the petitioner are serious in nature.

However, while referring to the statements of victim (Annexure P-4), mother of the victim (Annexure P-5), father of the victim (Annexure P-6) and Principal of the school (Annexure P-7) learned State counsel has informed that there are 25 witnesses and only 14 witnesses have been examined, remaining are yet to be examined.

5. Without discussing the merits of the case and keeping in view the fact that challan is presented, investigation is complete, statement of victim and material witnesses have already been examined, there is no apprehension of absconding the petitioner, the present petition is allowed. Petitioner is ordered to be released on bail subject to his furnishing personal bonds/surety bonds to the satisfaction of the trial Court concerned.

6. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

7th December, 2023
Shivani Kaushik

[HARPREET KAUR JEEWAN]
JUDGE

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