



Sr. No.214

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

CRM-M-16225-2024
Date of decision: 06th August 2024

GOKULPetitioner

versus

STATE OF HARYANARespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Abhinav Singla, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana,
assisted by ASI Ram Rati.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Petitioner-Gokul has filed the present second petition seeking regular bail in case FIR No.291 dated 19.07.2021, under Sections 363, 366-A IPC (Sections 376-DA and 6 of Protection of Children from Sexual Offences Act, 2012, added later on), registered at Police Station Sadar Sirsa, District Sirsa.
2. The first petition filed by the petitioner under Section 439 Cr.P.C. was dismissed as withdrawn vide order dated 12.12.2022 (Annexure P-4).
3. As per the allegations levelled against the petitioner, on the intervening night of 18/19.07.2024, the prosecutrix got missing from her house and the matter was reported to the Police by the father of the prosecutrix. On 20.07.2021, the victim was recovered and her statement under Section 164 Cr.P.C. was recorded, wherein, she has levelled allegations against the petitioner that on 18.07.2021, she left the house on the asking of the petitioner, who came along with his co-accused on a motorcycle. Thereafter, the petitioner has allegedly taken the prosecutrix to the house of his *Bua*, where the petitioner is alleged to have committed wrong act with



her. When the prosecutrix was brought back, the petitioner was able to run away, however, his co-accused Malkiat was apprehended by the parents of the prosecutrix.

4. Learned counsel for the petitioner contends that the petitioner is in custody for a period of 03 years and 14 days and the statement of the prosecutrix has already been recorded.

5. Learned State counsel has informed that out of total 20 prosecution witnesses, 13 prosecution witnesses have already been examined and the prosecutrix has supported the prosecution case.

6. Faced with this situation, learned counsel for the petitioner wishes to withdraw the present petition.

7. The present petition stands dismissed as withdrawn.

8. However, keeping in view the custody period of the petitioner, the trial Court is directed to conclude the trial within a period of 04 months from the date of receiving a copy of this order and the Investigating Agency shall ensure the production of the remaining prosecution witnesses within two hearings during the trial.

9. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

06th August 2024
simran

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