

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

CRM-M-298-2024 (O&M)

DATE OF DECISION : 08.04.2024

SAGAR

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. A.K.Dahiya, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, 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. 918 dated 04.10.2023 under Sections 363, 366-A IPC (during investigation Section 366-A IPC got deleted and Section 366 IPC got introduced) registered at Police Station Samalkha, District Panipat.

2. Learned counsel for the petitioner contends that the prosecutrix has not supported the prosecution case in her statement recorded under Section 164 Cr.P.C. She refused for her medical examination.

3. On the other hand, learned State counsel opposes the bail on the ground that the allegations levelled against the petitioner are serious in nature. Status report by way of affidavit of Krishan Kumar, Deputy Superintendent of Police, Panipat along with Annexures R-1 to R-4 has been taken on record.

4. As per the status report, the date of birth of the victim is recorded as 01.01.2006 in the School records and she was 17 years and 9

months old at the time of alleged occurrence as per the School Leaving Certificate, Annexures R-3 and R-4. This fact has also been mentioned in the status report that petitioner is in custody since 06.10.2023.

5. The investigation of the case is complete. Final report under Section 173 Cr.P.C. has already been presented. There are 15 witnesses and none has been examined; the trial is going to take time. There is no apprehension of absconding the petitioner during the trial or tempering with the prosecution witnesses.

6. In view of the aforesaid facts and circumstances and without expressing any opinion on the merits of the case, the application is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds/surety to the satisfaction of the trial Court/Chief Judicial Magistrate, concerned.

08.04.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No