

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

Crl. Misc. No.M-1462 of 2015

Date of Decision: 25.02.2015

Matlum and others

....Petitioners

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Sarfraj Hussain, Advocate
for the petitioners.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed for grant of anticipatory bail to the petitioners in case FIR No.276 dated 02.05.2013 registered under Sections 354-A(D), 294, 509 IPC read with Section 8/12 of the POCSO Act, 2012 at Police Station Nuh, District Mewat.

Learned counsel for the petitioners submits that the petitioners were found innocent and subsequently, they have been summoned under Section 319 Cr.P.C. He further submits that there was a delay of three days in lodging of the FIR. Learned counsel further submits that the allegations levelled in the FIR, are false and were considered by the police but while summoning, that report has not been considered. Learned counsel further submits that the petitioners are ready to join the Court proceedings and to furnish bail/surety bonds to the satisfaction of the trial Court and nothing is to be recovered from them.

Heard the arguments of learned counsel for the petitioners and have also perused the summoning order as well as the allegations levelled

in the FIR.

A specific allegation is there against the petitioners in the FIR as well as in the statement of the complainant. Minor contradictions are there, which are not material. The summoning order has also been challenged but the same has been dismissed in ***Criminal Revision No.583 of 2015***. No ground is made out to grant anticipatory bail to the petitioners when specific allegations are there against them.

After summoning, the petitioners are at par with other accused. Only on this ground that co-accused of the petitioners have been released on bail, the anticipatory bail cannot be granted to the petitioners.

The petition is accordingly dismissed.

However, in case, the petitioners surrender before the trial Court on or before 05.03.2015 and move an application for regular bail, the same be considered by the trial Court in accordance with law within a period of one week thereafter.

25.02.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE