

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

**Crl. Misc. No.M-23784 of 2015
Date of decision : 28.07.2015**

Dalip Singh

.....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Gurdas Singh Salwara, DAG, Haryana.

Mr. Lokesh Sharma, Advocate
for respondents No.2 & 3.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No.257 dated 04.05.2015, registered under Sections 363, 323, 120-B, 506 IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012, Police Station Sector 5, District Gurgaon, Haryana.

A complaint was forwarded to the District Legal Services Authority, Gurgaon by the wife levelling allegations against her husband and an employee working in the concern of the husband. In a nutshell the allegations were that the husband had taken their 10 year old daughter to Chennai. They were putting up in the company

guest house and Neeraj, a friend of the father molested the child. The wife levelled allegations against her husband under various sections. The complaint was forwarded to the police under the Model Prosecution Scheme and the FIR was registered. An affidavit of the complainant by the wife was given later giving clean chit to the husband.

The counsel appearing for the complainant also states that the complaint so far as the husband is concerned was made under some mistake.

The counsel for the petitioner states that the main allegations were against Neeraj who was arrested and is in custody and no father would allow his daughter to be molested or be a party to any arrangement. He states that the petitioner was arrested on 11.06.2015.

No allegations of rape were levelled against the petitioner. Allegations against him were all together different. The complainant has now retracted her allegations so far as the husband is concerned. The affidavit is available on record. The counsel who appears on her behalf also supports the petitioner.

In these circumstances, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of duty Magistrate/Trial Court.

28.07.2015
sunil

(ANITA CHAUDHRY)
JUDGE