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

**CRM-M No.4538 of 2015
Date of Decision: 10.03.2015**

Gagandeep Singh**.....Petitioner****Vs****State of Haryana****.....Respondent****CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, D.A.G., Haryana.

Mr. G.S. Sandhu, Advocate
for the complainant.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.21 dated 26.01.2015 registered under Sections 451, 354-D, 323, 506 IPC and Section 8 of POCSO Act, P.S. Nissing, District Karnal.

The prosecution story started with the allegations leveled by Harvinder Singh-complainant that on the day of occurrence i.e. 26.01.2015 Prabhdeep Kaur and her grandmother came to the house after purchasing some articles from the market then the

accused Gagandeep Singh came inside the house and pushed Avtar Kaur as well as Prabhdeep Kaur and also misbehaved with them. On making hue and cry neighbours attracted to the spot and caught Gagandeep Singh and thereafter he was handed over to the Police.

The aforesaid allegation in the FIR are conspicuously silent with regard to kind of misbehavior done by the accused person with the women folks. Prabhdeep Kaur was produced before the Judicial Magistrate, Ist Class, Karnal for recording her statement under Section 164 Cr.P.C. In her statement under Section 164 Cr.P.C., Prabhdeep Kaur has deposed that Gagandeep Singh was drunk when he came to their house and he came to the house under some mis-conception and quarreled with her uncle Harvinder singh and Hardeep Singh. She could not spell out as to what exact words he uttered while in the state of intoxication.

In the aforesaid statement under Section 164 Cr.P.C, Prabhdeep Kaur has not alleged any incriminating allegation of any offence under Section 354-D or under Section 8 of POCSO Act.

Learned counsel for the petitioner submits that Petitioner is in custody since 26.01.2015. Challan has already been presented and the case is fixed for charge.

Keeping in view the period of custody of the petitioner, he can be granted regular bail.

Accordingly, this petition is allowed.

Let the petitioner be enlarged on bail on furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

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

March 10, 2015.

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(RAJ MOHAN SINGH)
JUDGE