

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35086-2016

Date of decision: October 05, 2016.

Deepak

... **Petitioner**

v.

State of Haryana

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Shri Kunal Dawar, Advocate for the petitioner.

Shri Karan Sharma, Assistant Advocate General, Haryana.

A.B. Chaudhari, J. (Oral):

Head Learned Counsel for the parties. In FIR No.159 dated 8.9.2016, under Section 452 IPC and Section 8 of POCSO Act, 2012, registered at Police Station Palwal, Haryana, the petitioner, who is a young boy of 17 years of age, was arrested on 8.9.2016 and is in jail since then.

Learned Counsel for the State opposes the prayer for the grant of bail on the ground that the investigation has not yet been completed and the challan has not been filed.

This is the first offence of the petitioner. Allegation against the petitioner is that in the dead hours of night, he held the hand of the young girl of 16 years of age and tried to molest her when she was sleeping along with her maternal grand parents in the courtyard.

In my opinion, instead of continuing the detention of the petitioner, it will be appropriate to release him on bail since the challan has

not yet been filed and the trial will take its own time. Learned Counsel for the petitioner makes a statement that the petitioner will not enter village Pahari, District Palwal till the trial is completed and would reside at some other place and report to the concerned Police Station once in a month.

Petition is allowed. Bail to the petitioner to the satisfaction of the Chief Judicial Magistrate/Illaqa Magistrate concerned.

October 05, 2016.
kadyan

[**A.B. Chaudhari**]
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No