

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

Crl. Misc.M-41147 of 2016 (O&M)
Date of Decision: 13.12.2016

Umesh @ Bablu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Amandeep Kaur, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed for grant of regular bail to the petitioner in case FIR No.32 dated 09.07.2016, under Sections 323, 328, 452 of Indian Penal Code and Section 10 of POCSO Act, registered at Women Police Station, Kurukshetra.

Learned counsel for the petitioner contends that the allegation as regards the petitioner is limited only to the extent that he caught hold the foot of daughter of the complainant, while the other co-accused persons tried to outrage the modesty of young daughter of the complainant. It is argued that one of the co-accused is on interim bail. It is also argued that statement of both the prosecutrix and the complainant have been recorded

and thus, the petitioner should be enlarged on regular bail.

Per contra, learned counsel appearing on behalf of respondent-State argues that the allegations in the FIR are true and an attempt has been made to outrage the modesty of daughter of the complainant, as such, the petitioner is not entitled to the regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that statement of both the prosecutrix and complainant have been recorded and one of the co-accused is on interim bail and there will be no useful purpose in keeping the accused in custody, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of personal bond in the sum of Rs.30,000/- with one surety in the like amount, to the satisfaction of concerned trial Court/Duty Magistrate.

December 13, 2016
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No