

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

**Crl. Misc. No.M-6451 of 2016
Date of decision: 03.03.2016**

Gaurav

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sukhvinder Singh Nara, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Hayrna.

Mr. Amit Kohar, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking anticipatory bail in FIR No.21 dated 02.02.2016, registered under Sections 323, 341, 354-B, 506 IPC and Section 12 of POCSO Act, Police Station Bilaspur, District Yamuna Nagar.

The counsel for the petitioner contends that petitioner was convicted and sentenced to 3 years' imprisonment on 21.09.2015 and he had been allowed bail by the High Court and not happy with the development and because of the party faction in the village another case was got registered against the petitioner. The counsel contends

that on 02.02.2016 in the morning, the family members of the complainant had man-handled the petitioner and abused him and a complaint in this regard had been given by the father of the petitioner, which was received in the police station on 02.02.2016. The counsel had referred to Annexure P-1. Counsel further contends that the police had registered the FIR made on false allegations.

The complainant side has appeared. The prayer is opposed both by the complainant side and the State. The State counsel states that no complaint was received from the petitioner and the police had recorded the statement of the driver and the petitioner is so daring that even after the conviction he went on the motorcycle and parked his motorcycle in front of the bus carrying the students and boarded the bus and entered into a scuffle with the victim and abused her and caught her hand and threatened to kill her and teach her a lesson for getting him convicted and it was the bus driver who came to rescue her.

The petitioner was sentenced to three years' imprisonment under the POCSO Act. He was released on bail in October, 2015. The present incident allegedly took place on 02.02.2016. The driver of the school bus has supported the statement made by the girl. In these circumstances, no case for anticipatory bail is made out.

The petition is dismissed.

03.03.2016
sunil

(ANITA CHAUDHRY)
JUDGE