

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

CRM-M No. 1222 of 2017(O&M)

Date of decision: 23.1.2017

Mohammad Aslam

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

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

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of regular bail in FIR No.583 dated 08.09.2016 registered at Police Station Sector 10-A, Gurgaon for offence punishable under Section 6 of the Protection of Women from Sexual Offences Act, 2012.

The allegations against the petitioner are that he put his penis into the mouth of a child victim, aged 9 years, daughter of complainant Smt. Gulesa Parveen.

Counsel for the petitioner has submitted that there is delay of 5 hours in reporting the matter to the police as FIR has been registered at 11 PM with regard to an occurrence allegedly took place at 6 PM. Another submission made by counsel is that conclusion of trial is likely to take its own time and the petitioner is ready to face the proceedings, in accordance with law, without any default.

Counsel for the State has seriously opposed the bail application with the submission that the petitioner was taking tuition

classes of the child aged about 9 years with whom he committed a serious misconduct as alleged in the complaint. It is further submitted that keeping in view seriousness of the allegation, the petitioner does not deserve to be enlarged on bail.

I have heard counsel for the parties and perused the paper-book.

As per the case set up against the petitioner, he had been teaching the victim, aged about 9 years and exploited her by causing aggravated penetrated sexual assault punishable with rigorous imprisonment for a term not less than 10 years and may be extended to imprisonment for life.

In this view of the matter, I do not think it to be a fit case wherein the petitioner deserves to be enlarged on bail.

Dismissed.

JANUARY 23, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no