

Criminal Misc. M- No. 13826 of 2017 (O&M)

Date of decision : May 31, 2017

Ojas

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Lalit Pardhan, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 732 dated 09.11.2016 registered under Sections 376 (2)(1), 506 IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 at Police Station Civil Lines, Hisar.

The petitioner, it is submitted, is a young boy of 16 years studying in Class 10th. The parents of the complainant have come forward to state that no such incident, as mentioned, has occurred and the above said FIR is a result of misunderstanding between the parties. The petitioner, it is submitted, has joined investigation and his custodial interrogation is not required in this case. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Sheela Rani, Police Station Civil Lines Hisar had submitted on 05.05.2017 that the Thakur Bhargav Dass School constituted an Anti Sexual Harassment Committee to look into the allegations in the complaint dated 02.11.2016

submitted to the Principal. As per report dated 17.11.2016 submitted by the Committee, it was found to be doubtful whether the alleged incident had taken place at the school premises.

Learned counsel for the State, on instructions from SI Dogar Singh today affirms and verifies that the petitioner has joined investigation pursuant to order dated 05.05.2017 passed by this Court and his custodial interrogation is not required.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 05.05.2017 is made absolute.

It is, however, made clear that the petitioner shall not try to contact the victim, directly or indirectly in any manner.

May 31, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No