

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

(i) CRM No.M-20590 of 2017 (O&M)

Vishal

...Petitioners

VERSUS

State of Haryana

...Respondent

(ii) CRM No.M-22880 of 2017 (O&M)

Paras Dhull

...Petitioners

VERSUS

State of Haryana

...Respondent

Date of Decision: July 17, 2017

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Amit Prasher, Advocate
for the petitioner (in CRM No.M-20590 of 2017).

Mr.Siddharth Batra, Advocate
for the petitioner (in CRM No.M-22880 of 2017).

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

INDERJIT SINGH, J.

CRM No.21803 of 2017 in CRM No.M-22880 of 2017

The application is allowed, subject to all just exceptions.

Annexure P-7 is taken on record.

Main cases

Both the above-mentioned cases are taken up together as the

same have arisen from same FIR.

Petitioners have filed these petitions under Section 439 Cr.P.C. for grant of regular bail in case FIR No.20 dated 17.01.2017 under Sections 506, 120-B IPC and Section 4 of the POCSO Act, Police Station SGM Nagar, Faridabad.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

As per the amendment in The Juvenile Justice (Care and Protection of Children) Act, 2015, the petitioners were more than the age of 16 years and they have committed heinous crime offence under Section 4 of the POCSO Act. As per the FIR, victim was aged about 13 years and these petitioners along with other co-accused are committing unnatural offence with him for the last more than six months to one year.

Keeping in view the nature and gravity of the offence and in view of the fact that they can again give threat to the victim and also in view of the fact that if the petitioners are released on bail, it will defeat the ends of justice, I do not find it a fit case where petitioners are entitled to benefit of regular bail.

Therefore, finding no merit in both the petitions, the same are dismissed.

July 17, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No