

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

CRM-M-30232-2017 (O&M)

Date of decision : 06.11.2017

Atul Ojha

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. R.N. Maurya, Advocate,
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,
assisted by SI Geeta.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking bail in FIR No.0069 dated 21.10.2016, registered under Sections 342, 376 and 506 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012, at Women Police Station, Panchkula.

Learned counsel, inter alia, contends that the petitioner has been falsely implicated in the instant case. He is in custody since 21.10.2016. The complainant already stands examined. Nothing incriminating has come in the FSL report.

On the other hand, learned State counsel, on instructions submits that a young girl of 14 years committed suicide on account of sexual abuse by the petitioner, who was a caretaker in the residential society

wherein the victim and her family were residing. She has specifically named the petitioner as perpetrator of the crime in her statement recorded under Section 164 Cr.P.C. It is further informed that the trial is in progress and out of 16 prosecution witnesses, 10 already stand examined.

Heard.

Keeping in view the seriousness of the crime, wherein, a young child of 14 years had committed suicide and the active role allegedly played by the petitioner, no case for grant of bail is made out, at this stage.

Dismissed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of the Court on the merits of the case.

06.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No