

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

CRM-M No. 46733 of 2016(O&M)

Date of decision: 17.1.2017

Gurtej Singh

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. D.S. Pheruman, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of bail in anticipation of arrest in FIR No.43 dated 16.09.2016 registered at Police Station Women, District Sirsa for offence punishable under Sections 323, 341, 379, 506 of the Indian Penal Code, 1860 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (in short 'the Act').

Counsel for the petitioner has submitted that there are no allegations with regard to sexual assault in order to attract the provisions of Section 8 of the Act. It is further submitted that it has not been specifically mentioned as to which of the two accused snatched mobile phone.

Counsel for the State has submitted that keeping in view seriousness of allegations raised by the complainant, a student of 10+1 that she was being harassed by the accused while she had been going to the coaching centre, the petitioner is not entitled to concession of pre-arrest bail.

I have heard counsel for the parties, perused the paper-book particularly the allegations raised in the FIR.

Taking into consideration seriousness of the allegations raised in the FIR coupled with the factum that no such plea has been raised by the petitioner that the complainant had any motive to indict him falsely, I do not think it to be a fit case wherein the petitioner deserves to be allowed pre-arrest bail.

Dismissed.

JANUARY 17, 2017		(REKHA MITTAL)
‘D. Gulati’		JUDGE
Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no