

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

**Crl. Misc. No.M-20692 of 2018
Date of decision : 21.05.2018**

Harpreet Singh

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. J.S. Bedi, Sr. Advocate with
Mr. Sunil Kumar, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 1273 dated 15.12.2017, registered under Section 10 of the POCSO Act, Sections 341, 363, 511 IPC and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, Police Station City Panipat, District Panipat.

Counsel for the petitioner contends that the petitioner is in custody since 16.01.2018 and challan has been presented. He also states that the incident is of 14.12.2017 and the petitioner is a Building Supervisor and his wife is a Teacher in the same school and they have appended the photographs taken from the CCTV camera and it can be seen that the child had never come in contact with the petitioner and the incident is said to have taken place in the recess which is from 10:30 to 11:00 A.M. The counsel states that the FIR was lodged the next day but in the statement given on 16.01.2018, the victim states that she had identified the petitioner on

04.01.2018. The counsel also states that they give an undertaking that the petitioner would not enter the school till the trial is over. The counsel also refers to the site plan prepared by the police to show that CCTV cameras are installed in the school building.

The State counsel urges that the petitioner is a Building Supervisor, therefore, the students were not familiar with him but the child had identified him on 04.01.2018 when he was coming out of the school and the child had informed the parents and thereafter, the statement was given and on the same day the petitioner was arrested.

The petitioner have a number of photographs, which shows that the petitioner has been entering different areas of the school on that day. Some of the photographs have been placed on the record. The incident is said to have taken place during the recess. The allegations are that he caught the victim from her hand and took her behind the office and gagged her mouth. The victim is said to have been bitten the accused.

Investigation is over, challan has been presented. The petitioner has undertaken not to enter the school till the trial is over. The trial would take time. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate with a rider that he would not enter the school till the trial is over and he would give that undertaking to the Court.

21.05.2018

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No