

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

Crl. Misc. No.M-31075 of 2018

Date of decision : 20.08.2018

Subodh Aggarwal

.....Petitioner(s)

Versus

State of Haryana & another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. D.D. Sharma, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Respondent no.2 in person.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking anticipatory bail in FIR No. 49 dated 28.06.2018, registered under Sections 342, 363, 506 IPC and Sections 10 of the POCSO Act, Police Station Women, Sector 16-A, Faridabad, District Faridabad.

Counsel for the petitioner contends that the petitioner was a Skating Coach and was giving coaching to 30 students including 12 students of one school and he has been falsely implicated on account of an altercation between the wife of the petitioner and the mother of the prosecutrix.

The State counsel has placed on record the 'Whatsapp' messages and states that the message was sent by the petitioner asking the victim's mother to send the girl for a competition in Chattarsal Stadium, Delhi and he had asked the mother not to disclose this to anyone else and later it was found that no competition was fixed and the girl was taken home and was molested. The statement given by the victim was also shown.

The petitioner is a married man and has two children. He gave a message to the mother of the victim asking her to send her daughter with him to Chattarsal Stadium for a competition at 4:00 A.M. The girl was taken to his house and molested. On investigation it was found that no competition had been fixed in the stadium nor the stadium had the skating facility. The incident was narrated to the father who was abroad. The FIR was lodged on 28.06.2018 on his return.

The allegations are serious. No case for anticipatory bail is made out. The petition is dismissed.

20.08.2018

sunil

**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No