

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

CRM-M-37027-2018

Date of Decision: 04.09.2018

Shiv Kumar @ Kallu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, AAG, Haryana.

ANITA CHAUDHRY, J

Petitioner is seeking regular bail in FIR No.48 dated 21.06.2018, registered under Sections 323/506/509 IPC and Section 10 of POCSO Act, 2012 at Women Police Station Faridabad, District Faridabad.

Learned counsel for the petitioner contends that the petitioner is in custody since 21.06.2018 and there are no allegations of physical abuse attributed to the petitioner by the complainant.

Learned State counsel informs that there was another victim who had made a statement under Section 164 Cr.P.C. that the petitioner also used to touch inappropriately.

The second victim had made a statement before the CWC on 21.06.2018, wherein no allegations were levelled against the petitioner but on the next day, when she appeared before the Magistrate, the second victim had made allegation that the petitioner used to touch her inappropriately.

The petitioner is in judicial custody. Custodial interrogation is not required.

Challan is about to be presented.

The trial is taking time. Without commenting anything on the merits of the case, the petition is allowed. The petitioner is ordered to be released on bail on his furnishing surety and adequate bail bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate with a condition that the petitioner would not contact the victim.

September 04, 2018
ps-I

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No