

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

**Crl. Misc. No.M- 42320 of 2018
Date of decision : 05.10.2018**

Sukhbir

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ajit Singh Lamba, Advocate and
Mr. Yashdeep Nain, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

ANITA CHAUDHRY, J.(ORAL)

The petitioner is seeking anticipatory bail in FIR No. 528 dated 28.06.2018, registered under Section 365, 366-A, 376, 354-A of IPC and Sections 6 & 8 of the POCSO Act, 2012 Police Station City Sonipat, District Sonipat.

Counsel for the petitioner contends that the allegations are that the flat owned by the petitioner had been let out to one of the accused who had allowed the flat to be used in the occurrence. The counsel submits that the police had submitted their reply and according to Annexure P-4 the allegations against him were only under Section 21 of the POCSO Act. The counsel further submits that according to it a person can be challaned for

failure to report. Counsel further contends that he had let out the flat on rent and there is a rent deed and he was not aware of the activities carried out by other person.

The State counsel informs that the allegations against the petitioner are only under Section 21 of the POCSO Act.

Admittedly, the petitioner is not required under any other Sections. The allegations against the petitioner are under Section 21 of the POCSO Act, which is punishable for imprisonment which may extend to 6 months. The provisions of the Criminal Procedure Code would be applicable. The offence is thus bailable. The petition is dismissed being not maintainable.

05.10.2018

Sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No