

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

CRM-M No.49871 of 2018

Date of decision: 20th November, 2018

Amardeep @ Monu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. P.S. Poonia, Advocate for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Amardeep alias Monu in this first petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.0510 dated 21.09.2018 under Section 8 of the Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station Sadar Rohtak, are that during the intervening night of 20th and 21st September, 2018 it is alleged that while the prosecutrix, a minor girl aged around 14 years, was sleeping with her family, the accused petitioner trespassed into their house and tried to take her away by placing his hand on her mouth and on raising alarm the accused managed to escape.

Learned counsel for the petitioner contends that the petitioner is behind bars since two months and that the trial is not likely to be concluded in the near future and it is a pure case of false implication on account of enmity within the village folks.

On behalf of the State, the same is being sought to be opposed by Mr. Munish Sharma, Asstt. Advocate General, Haryana on instructions from SI Devi Rani Police Station Sadar Rohtak, on the grounds of heinousness of the offence and seriousness of allegations.

Appreciating the submissions of the two sides, going through the allegations of the prosecution and the fact that the petitioner has already undergone incarceration for two months and that culpability, if any, shall be determined at the trial which will take long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Rohtak.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

November 20, 2018

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No