

CRM-M-50261-2018

Date of Decision : 21.11.2018

Deepak

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Vikas Bhardwaj, Advocate
for the petitioner.Mr. Munish Sharma, AAG, Haryana
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

The allegations against petitioner/accused-Deepak are that he used to tease the prosecutrix who is aged around 16 to 17 years, while she used to move out from her house and which matter was reported by her parents to the family of the accused who happens to be the co-villager. It is alleged that one day, the accused stopped the girl while she was on her way to a shop to buy bananas and in drunken state, he caught the hand of the girl and on raising of *raula*, people gathered leading to the registration of the FIR and arrest of the accused.

Learned counsel for the petitioner contends that the petitioner is behind the bars for almost five months and that the allegations of teasing has come about and that it is a case which has been foisted upon the petitioner on account of village rivalry.

On behalf of the State, the learned State counsel, assisted by ASI Bimla, Women Police Station, Panipat has sought to oppose the grant of bail on the grounds that the petitioner has harassed and teased the minor girl and therefore, in view of the seriousness of the allegations, disentitles him of any relief.

Appreciating the submissions of the two sides, the factual scenario is not displaced by any of the sides. It is also admitted that the petitioner is behind the bars for almost five months, thus, culpability, if any, shall be determined at the trial, this Court is of the opinion that no useful purpose would be served by further detaining the petitioner in custody. Accordingly, he is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Illaqa Magistrate of the Court concerned.

Further, it is made clear that in case, the petitioner does not desist from his such acts, the prosecution is well within its rights to move an appropriate application seeking cancellation of his bail.

The petition stands disposed off accordingly.

21.11.2018
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No