

CRM-M-50272-2018

Date of Decision : 21.11.2018

Amit Kumar

.....Petitioner

versus

State of Haryana

....Respondent

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

This order shall dispose off first regular bail application under Section 439 Cr.P.C in a case bearing FIR No.124 dated 03.10.2018 filed under Sections 341, 506 of the Indian Penal Code and Sections 12 of the POCSO Act, 2012 registered at Police Station Women, Narnaul, District Mahendergarh.

The allegations as has been brought to the notice of this Court have been levelled by the father of the girl, who is aged about 17 ½ years at the time of occurrence, two years prior to the registration of the present case, alleging that the accused used to stalk his daughter and in the process used to scare and chase the girl and when he did not desist from doing so, the present case was got registered leading to the arrest of the petitioner on 23.10.2018.

Learned counsel for the petitioner has submitted that the petitioner and the daughter of the complainant were in a relationship and has sought to place reliance on the four photographs of the couple (Annexure P-2) and arguing that the petitioner has been falsely implicated to desist him from carrying on with this relationship.

On behalf of the State, the learned State counsel, assisted by ASI Suresh Kumari, has sought to oppose the grant of bail on the grounds that there are specific allegations against the petitioner for having teased, threatened and scared the minor girl and therefore, if allowed bail, he would influence the witnesses and stifle the trial.

Appreciating the submissions of the two sides and without commenting on the merits of the four photographs placed by way of (Annexure P-2) are itself suggestive of some sort of relationship between the couple. The petitioner is behind the bars for about one month, thus, culpability, if any, shall be determined at the trial, this Court is of the opinion that it would serve no useful purpose to further detain the petitioner in custody. Accordingly, he is ordered to be released on regular bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Illaq Magistrate of the Court concerned.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

21.11.2018
Neha

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No