

222.

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

CRM-M-198-2019

Date of decision: 14.01.2019

HITESH @ DIMPI

...Petitioner.

Versus

STATE OF HARYANA

...Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. J.K. Goel, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.89 dated 05.09.2018 registered under Sections 354, 366-A, 506 of IPC & Section 8 of POCSO Act at Police Station GRP Sonipat.

Learned counsel for the petitioner states that the petitioner is in custody since 05.11.2018. The allegation against the petitioner is that he caught hold of hands of the complainant's minor daughter, who is about 14 ½ years old. When she had gone to attend her classes, the petitioner tried to misbehave with her. He has argued that the petitioner and complainant's minor daughter are known to each other for the last more than 1 year and are on face book account.

Learned State counsel does not dispute the custody of the petitioner. She states that no prosecution witness has been examined so far.

I have heard learned counsel for the parties.

Considering the fact that the allegation against the petitioner is that he caught hold of hand of the complainant's minor daughter, aged 14 ½ years and the fact that the petitioner and the daughter of complainant are known to each other for the last 1 year, this Court finds that it is only during trial, the culpability of the petitioner is to be established.

Accordingly, present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that the petitioner shall not influence the witnesses in any manner directly or indirectly and in case, he makes such an effort, the prosecution shall be at liberty to seek cancellation of his bail.

(HARI PAL VERMA)
JUDGE

14.01.2019
sanjeev

Whether speaking/reasoned Yes/No.
Whether Reportable: Yes/No.