

222+105.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3274-2019 (O&M)

Date of decision:11.04.2019

DHIRANDER @ PARAS

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rishi Pal Singh, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J.(Oral)

CRM-12378-2019

Prayer in this application filed under Section 482 Cr.P.C. is to
place on record the documents Annexures P-6 to P-10.

For the reasons stated in the application, same is allowed and
the documents Annexures P-6 to P-10 are taken on record, subject to all just
exceptions.

CRM-10146-2019

Prayer in this application filed under Section 482 Cr.P.C. is to
place on record the documents Annexures P-3 to P-5.

For the reasons stated in the application, same is allowed and
the documents Annexures P-3 to P-5 are taken on record, subject to all just
exceptions.

CRM-M-3274-2019

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.883 dated 04.09.2018 registered under Section 506 of IPC and Section 12 of POCSO Act at Police Station Thanesar City, District Kurukshetra.

Learned counsel for the petitioner states that it is on the basis of the statement of the prosecutrix-complainant Sakshi, who is a student of B.Sc. (non-medical) in D.N. College, Kurukshetra, an FIR No.543 dated 11.06.2017 was registered under Sections 363/366-A of IPC and Section 6 of POCSO Act at Police Station City, Thanesar, against the petitioner-accused, who is on bail in that case. As per the FIR No.883 dated 04.09.2018, on 23.08.2018 at about 3.00 PM when the complainant with her cousin sister were going to their home from the college, the petitioner-accused along with his friends followed her and threatened her after stopping on the gate that in case the complainant or her family members give any evidence in the court against the petitioner, then he will kill her and her family members. The complainant got scared and they escaped while running from there.

Learned counsel further states that in FIR No.543 dated 11.06.2017, the complainant has already been examined on 03.01.2018 and, therefore, there is no question of extending any threat to her. Moreover, the petitioner is in custody since 04.09.2018 in the present case, though in FIR No.543 dated 11.06.2018, he is already on bail.

Learned State counsel, on instructions from ASI Jagdish, states that since the petitioner has extended threat to the complainant, he does not

I have heard learned counsel for the parties.

In the case in hand, the complainant has not been examined despite the fact that charges in the case were framed on 05.11.2018. The trial in the case will take sufficient long time. Moreover, the petitioner has already been admitted on bail on the main case i.e. FIR No.543 dated 11.06.2017. Thus, this Court deems it appropriate to admit the petitioner on bail.

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

(HARI PAL VERMA)
JUDGE

11.04.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No