

CRM-M-6829-2019

Date of Decision : 22.05.2019

Bijender @ Balli

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Ms. Sharmila Sharma, Advocate
for the petitioner.Mr. Baljinder Singh Virk, DAG, 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.129 dated 18.09.2018 filed under Sections 354-A/452/506 of the Indian Penal Code and Sections 8 & 12 of the POCSO Act, 2012 registered at Police Station Women, Rohtak.

The allegations against petitioner-Bijender @ Balli in this first regular bail application have been levelled by an unmarried girl, aged around 17 years. It is alleged by the complainant that the accused, who happens to be her immediate neighbour, on 14.09.2018, misbehaved with her and has tried to outrage her modesty and which act was again attempted

to be repeated after few days, leading to the registration of the present FIR.

Learned counsel for the petitioner *inter alia* argues that the petitioner is behind the bars for almost 08 months and that the investigations and trial are not likely to be accomplished in the near future.

The learned State counsel, on instructions from ASI Pinki, Police Station Women, Rohtak, though does not displace the facts that have been canvassed before this Court by learned counsel for the petitioner but has opposed the grant of bail on the grounds of seriousness of the allegations.

Going through the submissions, the petitioner is behind the bars for almost 08 months, 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.

22.05.2019
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No