

274.

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

CRM-M-54122-2018

Date of decision:15.01.2019

ASHU

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vaibhav Mittal, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

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.464 dated 15.08.2018 registered under Sections 354 B, 324, 506, 34 of IPC and Section 8 of POCSO Act, 2012 at Police Station Sadar, Sonipat.

Learned counsel for the petitioner has argued that the aforesaid FIR was registered at the behest of Salma (complainant) with the allegation that on 15.08.2018 at about 7.30 PM, two boys started manhandling with her daughter besides hurling abuses to her. Her daughter raised noise and on hearing the noise, the complainant came to the street and found two boys molesting her daughter. She tried to stop them. These boys gave knife blow on her. The accused have stated that they would abduct her daughter. She has named the accused as Raj Kumar son of Karan Singh and Ashu son of Baljit, resident of Village Ahmadpur.

Learned counsel for the petitioner has argued that the petitioner is in custody since 16.08.2018. The statement of complainant-PW1 has been recorded wherein she has not supported the case of the prosecution and has rather stated that the accused present in the Court are not those persons who have committed the act with her daughter.

Learned State counsel, on instructions from ASI Satpal, states that since the offences committed by the petitioner are heinous in nature, he does not deserve to be admitted on bail.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 16.08.2018 and the complainant has not supported the case of the prosecution though has been declared hostile, and the trial in the case will take long time, the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

Accordingly, present petition is allowed.

However, the petitioner shall not extend any threat to any witness in the case directly or indirectly.

(HARI PAL VERMA)
JUDGE

15.01.2019
sanjeev

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