

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-27677-2019

Date of Decision: September 03, 2019

Parveen Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Paramjit Singh Jammu, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana

Ms. Harmandeep Kaur, Advocate,
for Mr. P.K. Ganga, Advocate,
for the complainant.

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. 34, dated 09.04.2019, under Sections 354, 354-A, 354-D, 506 IPC and Sections 8, 10 and 12 of POCSO Act, registered at Police Station Women Sirsa, District Sirsa.

Learned counsel for the petitioner has argued that the aforesaid FIR has been registered at the behest of the victim, aged about 17 years of age, who has appeared in 10th class examination. As per the FIR, the petitioner is maintaining illicit relations with her mother for the last about 2 years and for the last 5-6 months, he has been harassing and disturbing the

victim and asked as to why, she has disclosed his relationship with the mother of the victim to her father. On 08.04.2019 when the victim was going to the house of her uncle, during the way, the petitioner had caught hold of the hand of the victim with bad intention and stated that in case she disclose this to her father or any other family member, then he will do the same thing with her which he used to do with her mother. Learned counsel has further argued that FIR has been registered though on behalf of the victim, but through her father as they suspect that the petitioner is maintaining illicit relations with the mother of the victim. Otherwise, the petitioner is in custody since 15.04.2019 and only the allegation against the petitioner is that he caught hold the hand of the victim with a bad intention. Trial is not likely to be concluded in near future.

Learned State counsel, on instructions from ASI Manju Bala, has argued that victim is about 17 years of age. The allegations against the petitioner are serious as he had caught hold the hand of the victim, who is student of 10th class.

Heard learned counsel for the parties.

The petitioner is in custody since 15.04.2019. In the back ground, there are allegations that the petitioner has illicit relations with the mother of the victim, the possibility of false implication in this case cannot be ruled out. The trial is not likely to be concluded in near future, therefore, this Court deems it appropriate to admit the petitioner on bail.

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

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

September 03, 2019
vkd

(Hari Pal Verma)
Judge

Whether speaking / reasoned : Yes / No

Whether reportable : Yes / No