

CRM-M-27587-2019

Date of Decision : 08.07.2019

Munna Singh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Ravinder Phogat, Advocate
for the petitioner.Mr. Amrik Narwal, 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.74 dated 07.04.2019 filed under Sections 354-A(2) of the Indian Penal Code and Section 10 of the POCSO Act, 2012 registered at Police Station Badhra, District Charkhi Dadri.

The allegations as has been brought to the notice of this Court against petitioner-Munna Singh have been levelled by complainant-Rajbir, uncle of the victim who is a minor girl, aged around 11 years.

In his complaint, the complainant alleges that on 07.04.2019 at

around 5/6 o'clock A.M., while the victim was sleeping in the house, the petitioner who happens to be the brother-in-law, had molested her, leading to his arrest on 08.04.2019.

Learned counsel for the petitioner submits that the petitioner is behind the bars for more than three months and that the *prima facie* allegations are only of molestation which is on account of some feud.

On behalf of the State, the learned State counsel, assisted by ASI Harish Kumar, Police Station Badhra, District Charkhi Dadri, though does not displace the facts that have been canvassed before this Court by learned counsel for the petitioner but has stoutly opposed the grant of bail on the grounds of heinousness of the offences.

Appreciating the submissions of the two sides, the petitioner is behind the bars since three months and in view of the offences for which the petitioner has been hauled up, this Court without feeling the necessity to further advert on the merits lest it would prejudice the case of the either party at the trial and the culpability, if any, of the petitioner shall be determined at the trial which is not likely to be concluded in the near future is of the opinion that it is a fit case for grant of bail. 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.

08.07.2019

Neha

**(FATEH DEEP SINGH)
JUDGE**

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