

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

CRM-M No.38573 of 2019

Date of decision: 29th November, 2019

Saurabh

... Petitioner

Versus

State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Nishant Raj Ghangas, Advocate for the petitioner.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for respondent No.1/State.

None for respondents No.2 and 3.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Saurabh, an 18 years old boy, in this first application seeking regular bail under Section 439 Cr.P.C. in case bearing FIR No.223 dated 24.03.2019 under Sections 341, 506 IPC and Section 10 of the Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station Model Town, Panipat, have been levelled by mother of two daughters, one aged 12 years and the other 14 years. It is alleged that on 24.03.2019 around 3:00/3:30 p.m. when she sent her younger daughter to the market, the accused along with another boy stopped her on her way and after brandishing a knife took her in a park and threatened her not to raise alarm. It is alleged that in the meanwhile, the complainant too came to that place and tried to intervene

when she too was assaulted by the accused who managed to escape. It is further alleged that around 15 days prior thereto the same boy had misbehaved with the elder daughter of the complainant, leading to registration of the present case.

Learned counsel for the petitioner Mr. Nishant Ran Ghangas, Advocate inter alia contends that it is only a personal dispute between the families which has been twisted and given the shape of an assault upon the minor girl, arguing further that the petitioner is behind bars for the last more than seven months and that trial is not likely to conclude in the near future.

On behalf of the State, Mr. Baljinder Singh Virk, Dy. Advocate General, Haryana on instructions from ASI Surinder Kumar, concedes to the facts but has opposed the grant of bail on the grounds of seriousness of allegations.

Heard.

In the light of what has come up before this Court, whereby the petitioner has only intimidated and stopped the victims while at a public place and the petitioner is in custody for a long time, this Court is of the opinion that culpability, if any, shall be determined at the trial which is not likely to conclude in the near future and no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Panipat.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

November 29, 2019

rps

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