

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

CRM-M-40123-2019

Date of decision : 27.09.2019

Sachin

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Manoj Pundhir, Advocate
for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

Ms. Savita Rana, Advocate
for respondents No.2 to 5.

GURVINDER SINGH GILL, J (ORAL)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against him vide FIR No.509 dated 22.07.2019 under Sections 323, 34, 354D, 427, 506 of IPC and Section 12 of POCSO Act (added later on), registered at Police Station Gharaunda, District Karnal.
2. The FIR was registered at the instance of Vaishali wherein it has been alleged that on 22.07.2019, when she alongwith her younger sister and her friend had gone for a walk in herbal park, Gharaunda, then they were chased by three boys who were on activa scooter. The said boys followed them to the park. When they were returning back from the park, the said boys abused them and one of them, namely, Ankit caught hold hand of complainant's friend and tried to pull her. However, they were rescued by Pinka and Sahil, who happened to be present nearby.

3. Learned counsel for the petitioner submitted that the FIR in fact came to be lodged due to some mistaken belief and as of now the complainant-respondent No.2 as well as her mother have furnished affidavits to the effect that the FIR was lodged in a hurry and later they came to know that the petitioner was not amongst the accused.
4. Opposing the petition, learned State counsel has submitted that since categorical allegations have been levelled against the petitioner, no case for grant of bail is made out.
5. Having regard to the facts and circumstances of the case and bearing in mind that the petitioner has been behind bars since last more than one and half months, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of the learned Illaqa Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

27.09.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No