

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-41544-2019 (O&M)
Date of Decision:-1.10.2019

Ramesh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vikas Bishnoi, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.43 dated 31.5.2019 at Police Station Women Fatehabad, District Fatehabad under Sections 506 and 34 of Indian Penal Code and Sections 6 and 8 of Prevention of Children from Sexual Offences Act, 2012.
2. The FIR was lodged at the instance of Ram Kumar, wherein it has been alleged that two of his daughters were disturbed for a few days and when he and his wife asked them about the reason, then his daughters disclosed that they are being teased by Ramesh, Anil and Sunil. It was further disclosed by one of his daughter that on 21.4.2019 and 6.5.2019, Anil had made her inhale something and took her to the hut of Ramesh and forcibly established physical relations with her against her consent. It is further alleged that even

on 24.4.2019, Ramesh and Sunil had asked them to come to the hut of Ramesh, where they molested them.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that infact during the course of trial none of the victims has supported the case of the prosecution. The learned counsel, in this regard, has drawn the attention of this Court to the copies of statements of the victims annexed as Annexures P-2 and P-3. A perusal of which shows that both of them have resiled from their earlier statements.
4. The learned State counsel has, however, opposed the petition and has stated that it is a case where the accused have intimidated the victims and on account of which they have not supported the case of the prosecution and has thus prayed for dismissal of the petition.
5. Having considered rival submissions addressed before this Court and while noticing that the challan already stands presented and that the victims have not supported the case of the prosecution, 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 bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

1.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No