

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

CRM-M-43326-2019

Date of decision : 18.10.2019

Sunil and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J (ORAL)

1. The petitioners have 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 petitioners has submitted that the petitioners have falsely been implicated in the present case and that in fact 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 petitioners will not serve any useful purpose. The petition, as such, is accepted and the petitioners are ordered to be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

18.10.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No