

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

CRR-2820-2019 (O&M)
Date of Decision:- 17.12.2019

Pankaj ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sukesh K. Jindal, Advocate, for the petitioner.

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

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court challenging order dated 22.10.2019 passed by learned Additional Sessions Judge, Charkhi Dadri whereby his appeal against order dated 11.10.2019 passed by Principal Magistrate, Juvenile Justice Board, Charkhi Dadri, declining grant of bail, has been dismissed.
2. The FIR was lodged at the instance of the victim aged about 16 years wherein it has been alleged that the petitioner used to follow her in

his car bearing registration No.HR-36T-1400 whenever she used to go to school or to take tuition and also used filthy language and uttered obscene and objectionable words. It is alleged that he used to propose to her to be his friend and that when the complainant turned down his proposal he used to threaten that he would commit some wrong with her. It is further alleged that when the prosecutrix brought the said fact to notice of petitioner's mother she threatened the complainant to eliminate her. It is further stated therein that on 2.10.2019 when her father was taking her on his motorcycle to drop her at tuition centre, the petitioner tried to hit them with his vehicle and also threatened to kidnap the victim.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that even if the contents of the FIR are taken to be correct still it is a case of stalking by the petitioner and there is no allegation to the effect that the petitioner had ever molested the victim in any manner. Learned counsel has further submitted that since the petitioner is a juvenile, he deserves special concession in the matter of grant of bail.
4. The learned State counsel while opposing the petition has submitted that since specific allegations have been levelled in the FIR against the petitioner, no case for grant of bail is made out.
5. Having considered rival submissions addressed before this Court and while keeping in view the nature of allegations and also the age of the petitioner who is stated to be aged about 17 years and that he has been behind bars since the last about 2 months and challan already

stands presented, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and order dated 22.10.2019 passed by learned Additional Sessions Judge, Charkhi Dadri is set aside and petitioner-Pankaj is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

6. It is however directed that parents of the petitioner shall regularly monitor the movement of the petitioner and shall ensure that he does come in contact with any seasoned criminal.

December 17, 2019

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No