

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

CRM-M No.49715 of 2019

Date of decision: 27th November, 2019

Ravinder @ Vijender

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Amrik Narwal, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Ravinder alias Vijender in this first regular bail application under Section 439 Cr.P.C. in case bearing FIR No.452 dated 25.09.2019 under Sections 354-B, 452, 506 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 pertaining to Police Station Tosham, District Bhiwani, are to the effect that during the intervening night of 24th and 25th September, 2019, the petitioner trespassed into the house of the complainant prosecutrix and tried to forcibly take her away and upon hearing commotion attracted her mother as a consequence of which the accused ran away from the spot leading to registration of the present case.

Learned counsel for the petitioner Mr. Abhimanyu Singh, Advocate inter alia contends that the petitioner is behind bars since

25.09.2019 and that there are only allegations of attempt to take away the girl aged around 16 years and that the trial is not likely to conclude in the near future.

On behalf of the State, Mr. Amrik Narwal, Dy. Advocate General, Haryana though has conceded to the facts brought before this Court but has sought to oppose the grant of bail on the grounds that if allowed bail petitioner might influence the witnesses at the trial.

Going through the submissions of the two sides, it is a pure simplicitor trespassing with the motive to take away the girl and in the light of allegations that have come about and the period of incarceration already undergone by the petitioner, this Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Bhiwani. 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 27, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No