

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

CRM-M-51154-2019 (O&M)
Date of Decision:- 6.12.2019

Narsi

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohan Singh Rana, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Narsi has approached this Court seeking grant of regular bail in a case registered vide FIR No.84, dated 6.7.2019, registered at Police Station Women Narnaul, District Mahendergarh, under Section 452 IPC and Section 8 of POCSO Act.
2. The FIR was lodged at the instance of victim wherein it has been alleged that on the day of occurrence when she was sleeping in the *baithak* of her house along with her brother while her father was sleeping in the courtyard, then at about 11.10 pm Narsi (petitioner) entered into their house and threw himself upon the complainant and started opening the string of her *salvar*. When the complainant raised alarm, her father was attracted to the *baithak* and upon seeing him the

aforesaid person ran away from the spot. It is however stated therein that no bad act was committed by the accused.

3. Learned counsel for the petitioner has submitted that he has falsely been involved in the present case and that in any case even as per the FIR, the petitioner had not committed any sexual assault and in these circumstances he deserves the concession of bail.
4. Opposing the petition, learned State counsel has submitted that since the petitioner had entered into the house of the complainant in the dead of night and had attempted to outrage the modesty of the complainant by opening string of her *salvar*, no case for grant of bail is made out. It has however, been informed that the peititoner has been behind bars since the last about 5 months and that till date not even a single PW has been examined out of the cited 18 PWs.
5. Having regard to the facts and circumstances of the case and that the petitioner has been behind bars since the last about 5 months and conclusion of trial is likely to take some time as not even a single PW has been examined till date, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner-Narsi 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.

December 6, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No