

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

CRM-M-52035-2019 (O&M)
Date of Decision:-11.12.2019

Gurmeet

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sushil Kumar Verma, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana,
assisted by ASI Sushila.

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.0084 dated 6.8.2019 at Police Station Women Sirsa, District Sirsa under Section 354-D of Indian Penal Code and Section 12 of POCSO Act.
2. The FIR was lodged at the instance of the victim, wherein it has been alleged that on 2.8.2019 while she was returning home from school, the petitioner chased her while stating that the victim was his fiancée. It is alleged that even earlier on 3-4 occasions he had been chasing her and stating identical words to her. The complainant has alleged that she disclosed about the incident to her mother and although her mother visited the house of the petitioner and

protested about the petitioner's behaviour but the conduct of the petitioner did not change.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case on account of some disputes in the family inasmuch as the victim is relative of the petitioner being his cousin. The learned counsel has further submitted that even as per the FIR, apart from the fact that the petitioner is stated to have chased the victim no other overt act of any molestation has been attributed to the petitioner.
4. Opposing the petition, the learned State counsel has submitted that since specific allegations of stalking have been levelled against the petitioner, no case for grant of bail is made out. The learned State counsel has further informed that challan already stands presented and that till date not even a single PW out of the cited 13 PWs has been examined.
5. Bearing in mind the nature of allegations and the fact that challan already stands presented and till date not even a single PW out of the cited 13 PWs has been examined, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to take some time. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

11.12.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No