

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

CRM-M-52210-2019 (O&M)
Date of Decision:- 12.12.2019

Sagar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajesh Bansal, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana,
assisted by ASI Hem Raj.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Sagar has approached this Court seeking grant of regular bail in a case registered vide FIR No.109, dated 21.9.2019, registered at Police Station Bapoli, District Panipat, under Sections 323, 354-A, 506, 34 IPC and Section 12 of POCSO Act.
2. The FIR was lodged at the instance of the victim aged 16 years wherein it has been alleged that Vishal used to make obscene gestures and used to pass remarks since the last several days. It is alleged that

on 20.9.2019 when she along with her sister was washing clothes in the street, then Vishal accompanied by another boy came there on a motorcycle and again made obscene gestures. The complainant went up to the motorcycle and slapped Vishal. However, he caught hold of complainant's thumb and twisted the same. When the complainant raised alarm her sister and mother came rushing there. The complainant's mother caught hold of him but he gave beatings to her mother as well. It is alleged that subsequently Vishal ran away from the spot and later complainant's brother received a telephonic call from Vishal's elder brother namely Sagar who threatened to kill him.

3. Learned counsel for the petitioner has submitted that even as per the FIR the petitioner was never present on the spot and had never ever molested the complainant or her sister and that the only role attributed to him is that he had telephonically threatened the brother of the complainant.
4. The learned State counsel has not disputed that the only role attributed to the petitioner that he had threatened the complainant's brother telephonically. It has been informed that challan already stands presented and that till date not even a single PW out of the cited 16 PWs has been examined.
5. Having considered rival submissions addressed before this Court and bearing in mind the role attributed to the petitioner and the fact that 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-Sagar 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 12, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No