

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

**CRM-M No.4708 of 2020
Date of Decision.03.02.2020**

Tahir
State of Haryana

Vs

...Petitioner
...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Kusum Raj, Advocate
for the petitioner.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of anticipatory bail in FIR No.633 dated 26.12.2019 under Section 365, 376, 377, 506 and 34 IPC and Section 6 of POCSO Act, 2012 registered at Police Station Tauru, District Nuh, Haryana.

In brief, the facts are that an FIR was got registered by the father of a baby girl aged 2 ½ years, who reported that his daughter had been abducted by his neighbour whose name was Dhola @ Mohabbat son of Tahir, who is the present petitioner herein. On looking for his daughter, he came across Dhola, who was bringing her daughter on his bicycle. On asking his daughter as to what had happened, she stated that wrong act had been committed by Dhola, while he noticed that she was bleeding. The family of Dhola was called and as the family congregated, Tahir, the present petitioner came with an axe to threaten the complainant and his family. The bail application has been rejected by the Additional Sessions Judge, Nuh by taking into account several factors namely that there is a sexual abuse reported against a child aged only 2 ½ years and the perpetrator of the crime is none other than son of the petitioner herein.

Even though the offence has not been committed by the petitioner herein but there is a definite allegation that he threatened the complainant and his family with axe. In view of categorical statement that had been made, this Court does not find any ground to allow anticipatory bail in favour of Tahir, who came out in defence of perpetrator of the crime namely Dhola @ Mohabbat with an axe, with an intention to cause bodily harm to the complainant and his family members.

Consequently, the instant petition stands dismissed.

(JAISHREE THAKUR)
JUDGE

February 03, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No