

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

231

CRM-M-6669-2020

Date of Decision:19.02.2020

Prateek @ Mani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Navraj Singh Mahal, Advocate,
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.129 dated 23.11.2019 under Sections 354, 354-D, 323 IPC (the offences under Sections 451 IPC & 12 of the POCSO Act, 2012 were added later on), registered at Police Station Lambran, Jalandhar(Rural), Punjab.

Learned counsel for the petitioner has argued that the present FIR was registered at the behest of Principal, Govt. Senior Secondary School, Wadala. As per the FIR, the petitioner entered the school without any permission and had insulted the victim and gave her a slap. The petitioner is in custody since 23.11.2019. The mother of the victim and the Principal at whose behest the present FIR was registered have submitted their affidavits that the FIR was registered on some mistaken facts. The

petitioner is a young boy of 21 years of age and he is pursuing his studies.

Learned State Counsel does not dispute the custody period. However, she states that as per statement of the victim earlier also the petitioner had insulted the prosecutrix and molested her and used to force her for friendship. She submits that petitioner is not a student, rather working as a labourer.

Heard learned counsel for the parties.

The allegation in the FIR is that the petitioner had given a slap to the victim. Petitioner is in custody since 23.11.2019. Trial in the case is not likely to be concluded in the near future. Considering the age of the petitioner and the possibility where he can reform his conduct, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the petitioner is admitted on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court. Further, he shall deposit ₹10,000/- with the **Principal, Govt. Senior Secondary School, Wadala**, where the alleged incident has taken place and that money would be spent for the welfare of the students within the knowledge of District Education Officer, Jalandhar.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

February 19, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No