

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14574-2020 (O&M)

Date of Decision: 25.06.2020

Ravi

... Petitioner

v/s

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Lupil Gupta, Advocate for the petitioner.
Mr. Baljinder Singh Virk, DAG Haryana.

* * *

VIVEK PURI, J. (ORAL)

Petitioner has prayed for grant of regular bail in case FIR No. 148 dated 15.9.2019 registered under Sections 354, 354-D, 451 IPC 1860 and Section 12 of POCSO Act, 2012 at Police Station Nathusari Chopta, District Sirsa.

Briefly, the FIR has been registered on the basis of allegations that for the last about 2 months, the petitioner had been chasing the victim on her way to school. The victim had refused to have friendship with the petitioner and narrated the story to her grandmother who further talked about the same with the family members of the petitioner who have assured to make him understand. During the intervening night of 14/15 September, 2019, the petitioner came to the terrace where victim was sleeping along with her grandparents. The petitioner had concealed himself and the cousins of the victim noticed him and caught hold of him. On hearing the cries, the grandparents of the victim got up. There was scuffle between family members of the victim and the petitioner and grandfather of the victim sustained injuries.

It has also been stated by learned counsel for the petitioner that

arrest of the petitioner has been effected on 15.9.2019 and the case has been registered on account of neighbourhood rivalry. It has also been pointed out that there are four other cases which have been registered against the petitioner. In two cases he has been granted regular bail and in one he has also been acquitted.

It has further been stated by learned counsel for the petitioner that record pertaining to fourth case registered at Chhitorgarh is not traceable though the petitioner has informed him that he has been acquitted in that case.

The investigation of the case is complete and challan has already been presented. In the instant case, there is no medical evidence to indicate the injuries allegedly sustained by grandfather of the victim. Petitioner is in custody for the last about more than 9 months.

Learned State counsel has not disputed the factual aspect of the matter.

Considering the above and the fact that conclusion of trial is likely to consume some time, further detention of the petitioner may not be justified. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

(VIVEK PURI)
JUDGE

25.06.2020
Janki

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No