

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

CRM-M-16586-2020 (O&M)
Date of decision : 13.07.2020

Vishnu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Aakash Singla, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

The instant petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking bail in FIR No.297 dated 16.12.2019 under Sections 75/82 of Juvenile Justice (Care and Protection of Children) Act, 2015; Sections 10/12 of the Protection of Children from Sexual Offences Act, 2012; Sections 3(1)(w)(i) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989; and Section 354-A (1)(i) of the Indian Penal Code, at P.S. Adampur, District Hisar.

Learned counsel, inter alia, contends that the identically placed co-accused have been released on bail. The petitioner has been falsely implicated in this case at the behest of a colleague-teacher.

On the other hand, learned State counsel, on instructions

deserve the concession of bail.

Heard.

The petitioner is a Laboratory Attendant in the school and the victim-child being a student of that school was in his custody. There is a serious breach of trust and the Court is under obligation to ensure that the life, liberty and dignity of the children are fully protected. A teacher/school staff is entrusted with the sacred duty to pass on to the youngsters not only the information but good values so that the children become good citizens. The conduct of the petitioner being a school staff and victim being a student of the school and of a tender age, dissuade the conscience of the Court to grant any relief at this stage. The petitioner has also appended certain affidavits of the students/parents of the other students with the instant petition. However, the Court is not inclined to appreciate these documents, at this stage.

In view of the above, no case for grant of bail is made out.

Dismissed.

The trial Court is directed to conclude the trial expeditiously. The State is also directed to ensure that the life and liberty of the victim and her family are fully protected so that they are not pressurized by anyone.

However, nothing noticed hereinabove shall be construed as an expression of opinion of the Court on the merits of the case.

13.07.2020
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No