

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

CRM-M-17126-2020

Date of decision: **19.08.2020**

HARKIRAT SINGH

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.85 dated 19.2.2020 under Sections 506, 354-D, 363 IPC; Sections 66-C, 67 & 67-A IT Act and Section 10 of POCSO Act at Police Station Saran, District Faridabad.
2. The FIR was registered at the instance of Rajender Singh wherein it is alleged that his daughter (victim) had informed him that she had been talking to a boy and they had exchanged their phone numbers and said boy disclosed his name as Harkirat Singh, who is resident of Amritsar and that later the said boy threatened her to send some of her obscene photographs failing which he would send 'chat' to her father. It is alleged that Harkirat Singh also threatened her to meet him and called her to a

hotel where he was accompanied by two of his friends. It is also alleged that the petitioner took complainant's daughter to Rose Garden and threatened her and touched her private parts and clicked her photographs and later threatened to upload the same on internet.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he had never ever threatened the complainant's daughter and in fact he and complainant's daughter were friends and the complainant daughter had willingly accompanied him to the Rose Garden as would be evident from WhatsApp chat and from photographs annexed as Annexures P-4 to P-6.
4. Opposing the petition, learned State counsel has submitted that since there are specific allegations against the petitioner and that the victim in her statement recorded under Section 164 Cr.P.C. has also reiterated the version recorded in the FIR, no case for grant of bail is made out. Learned State counsel has however informed that '*Challan*' already stands presented and the petitioner has been behind bars since last about 6 months.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the nature of allegations and the fact that '*Challan*' already stands presented and that petitioner has been behind bars since last about 6 months and also while noticing that it would debatable as to whether the complainant's daughter had voluntarily accompanied the petitioner or had been threatened to do so, in my opinion, further detention of the petitioner will not serve any useful purpose as conclusion

of trial is likely to take some time. The petition, as such, is accepted and the petitioner 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.

19.08.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**