

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

204

CRM-M-22444-2020 (O&M)

Date of Order:18.08.2020

JASWINDER SINGH @ JASSA

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Surinder Singh Siao, Advocate,
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.86, dated 20.02.2020, registered under Section 354/354-A and Section 8 of the POCSO Act, at Police Station Rania, District Sirsa.

In a nutshell, the case of the prosecution is that the prosecutrix had gone to the house of a relative to attend a marriage function. When she went to answer the call of nature (urination), the petitioner caught hold of her from behind. She successfully pushed him aside and started making noise which attracted her father and brother, who grappled with the petitioner but he slipped away.

The petitioner is in custody since 30.07.2020.

Learned counsel appearing for the petitioner relies upon an affidavit of the prosecutrix's father to the effect that the petitioner has been nominated as an accused by mistake.

On conclusion of the investigation, the police report under Section 173 of the Code of Criminal Procedure has been filed and charges have been framed. However, trial of the case is yet to commence.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 30.07.2020 and conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly, the present petition is allowed with the aforesaid directions.

August 18, 2020
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No