

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

Sr. No.204

CRM-M-23760-2020

DATE OF DECISION: August 31, 2020

AVINASH SHARMA

..PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. A.K. Walia, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

The petitioner seeks grant of regular bail in case FIR No. 56 dated 12.12.2019 registered at Police Station Women Police Station, Naraingarh, District Ambala under Section 506 IPC and Sections 8 & 10 POCSO Act, 2012.

Learned counsel for the petitioner submits that false implication cannot be ruled out. In fact, there was some misunderstanding with the neighbour on account of which he slapped her daughter and on his refusal to apologize, the present FIR was lodged. The petitioner has been in custody since 13.12.2019 and the trial is not likely to be concluded at an early date as examination of PWs has not yet commenced.

Learned State counsel concedes that the petitioner has been in custody since 13.12.2019 and that examination of PWs has not yet commenced. He however, opposes the grant of bail on the ground that the daughter of the complainant is only 11 years of age and the petitioner is her neighbour. She is likely to feel threatened in case regular bail is granted to the petitioner.

The aforementioned facts disclose that the petitioner has been in custody for more than 08 months and that the trial is not likely to be concluded at an early date. The concern of the State regarding a possible threat to the daughter of the complainant can be addressed by giving directions. Thus, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. It is further directed that the petitioner shall mark his presence in the local Police Station every 04 weeks.

August 31, 2020
Ankur

(SUDHIR MITTAL)
JUDGE

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