

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

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CRM-M No.27982 of 2020

Date of Decision: October 1st, 2020

Jagdeep Singh @ Ganju

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Gurdarshan S. Sidhu, Advocate
for the petitioner.

Ms. Seenu Sura, Deputy Advocate General, Haryana.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail in FIR No.76 dated 17.12.2019 registered under Sections 354, 354-A IPC and Sections 8 and 10 of POCSO Act, at Women Police Station, Dabwali, District Sirsa.

It is the contention of learned counsel for the petitioner that the petitioner is alleged to have taken the victim forcibly to an unknown place and kissed her and asked to remove her knickers. She came back home and narrated the said incident to her parents, leading to the registration of the FIR. Counsel for the petitioner states that it was primarily because of the misunderstanding that the said FIR was got registered against the petitioner. This fact he asserts on the basis of the compromise dated 21.09.2020 entered into between the parties. It has been stated that the misunderstanding has been resolved and the complainant family has no objection to the petitioner being released on bail.

Mr. Ajay Kamboj, Advocate, has put in appearance on behalf of the complainant and acknowledges the factum of compromise. He further asserts that the family of the complainant has no objection in case the present petition is allowed and the petitioner is released on bail.

Yesterday when the case was taken up for hearing, directions were issued to the State counsel to verify the authenticity of the compromise, which has been entered into between the parties.

Counsel for the State has, on instructions from ASI Darshana, Police Station Dabwali, informed the Court that there is indeed a compromise, which has been entered into between the parties.

Counsel for the petitioner states that the petitioner is in custody since 17.12.2019 and the trial is likely to take a long time. He further asserted that the continuation of the petitioner in custody would not serve any purpose and, therefore, the petitioner be granted the concession of bail, especially when the family of the victim has no objection to the prayer made in the present petition.

I have considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is in custody for more than nine months, with the trial not likely to proceed with the prevailing pandemic and there being a compromise between the parties, as has been referred to above, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the Special Fast Track Court/Chief Judicial Magistrate/Duty Magistrate, Sirsa.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

October 1st, 2020

Puneet

(AUGUSTINE GEORGE MASIH)

JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No