

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

Ranjit Singh @ SammiPetitioner
Vs
State of PunjabRespondent

FIR was registered at the instance of complainant Promila with the allegations that her minor daughter was studying tuition with Manisha Rani in a shop of computer in the main bazaar. On 28.08.2020, at about, 1 o' clock, she had gone

for the tuition and she was discharged from tuition at about 2 o' clock. When her daughter was coming back, at about 02:05 p.m., the petitioner came to her and offered samosa but her daughter refused to eat and went to drink water from the water cooler near the temple. When she came back near the samosa stall, the petitioner tried to give her chocolate by showing that he is her uncle and knows her family. He also offered to give her a ride on the motorcycle, but the daughter of the complainant refused to sit on the motorcycle. She was again stopped near the sweet shop when she was on her way back to home and the petitioner also offered to teach her driving the motorcycle, but the daughter of the complainant refused to do that. Petitioner stopped her twice on her way back to the house and even tried to make her sit on the motorcycle. The daughter of the complainant escaped from the petitioner and came to the house and told the occurrence to her mother. When the complainant and her family members tried to contact the petitioner by visiting her house, none was found there. The daughter of the complainant identified the petitioner when his brother showed a photograph from the mobile.

Learned counsel for the petitioner submits that offences under Sections 354-A, 341 IPC are bailable. Offence under Section 12 of the POCSO relates to punishment of sexual

harassment which is punishable upto 3 years with fine. Challan has been presented. Petitioner is in custody since 02.09.2020. Learned counsel further submits that the offence is not covered under Section 29 of the POCSO Act.

Learned State counsel admits the fact that challan has been presented, but opposed the bail on the ground that the petitioner is involved in offence under Section 12 of the POCSO Act. Honour of a minor was at stake.

Looking to the facts and circumstances of the case, filing of the challan, situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(RAJ MOHAN SINGH)
JUDGE

15.12.2020

Prince

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No