

226.

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

CRM-M-157-2020

Date of decision: 14.01.2020

BABLU PARJAPATI

... Petitioner

versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rohit Mittal, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.106 dated 03.09.2019 registered under Sections 363, 366-A of IPC and Section 16 of POCSO Act, 2012 at Women Police Station Narnaul.

Learned counsel for the petitioner states that the petitioner is in custody since 05.09.2019. Petitioner is not named in the FIR and there is no allegation against him. The FIR was registered at the behest of the mother of the victim to the effect that Akshay Lal, who is the main accused, has enticed away her daughter on the pretext of marriage. He has referred to the statement of the victim recorded under Section 164 Cr.P.C. wherein she has specifically stated that the petitioner has not said anything to her and she does not want any action against him as he has not committed any fault. He further states that the co-accused Parkash Parjapati has already been

admitted on bail by this Court vide order dated 29.11.2019 passed in ***CRM-M-48374-2019*** titled as ***Parkash Parjapati Versus State of Haryana***.

Learned State counsel, on instructions from ASI Suresh Kumar, does not dispute the custody. However, she states that the allegation against the petitioner is that he has given telephone number of Parkash Parjapati.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 05.09.2019 and there is no allegation against him in the statement of the victim recorded under Section 164 Cr.P.C., coupled with the fact that the co-accused Parkash Parjapati has already been admitted on bail, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observations made hereinabove shall not be construed as an expression on the merits of the case and the trial court shall decide the case on the basis of available material.

(HARI PAL VERMA)
JUDGE

14.01.2020
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No