

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

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**CRM-M-11595-2021(O&M)
Decided on : 03.09.2021**

PANKAJ @ BHURA

...
Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. J.S. Manipur, Advocate
for the petitioner.

Mr. Gagandeep Singh Chinna, AAG Haryana
assisted by SI Parveen Kumar.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.308, dated 13.12.2020 under Section 452 IPC and Section 8 of the POCSO Act registered at Police Station Chhachhrauli.

Learned counsel contends that the petitioner is a married man and hence it is unbelievable that he would have attempted to outrage the modesty of the two victims aged 10 years and 12 years and that too in their own house. Learned counsel contends that the petitioner has been in custody since December 2020 hence, he be extended the concession of bail as the trial is unlikely to conclude in the near future.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner on instructions from SI Parveen Kumar submits that the accused-petitioner after trespassing

into the house of the complainant, who is his neighbour, attempted to outrage the modesty of his two minor daughters after removing their quilts. The victims raised a hue and cry, which attracted their father i.e., the complainant, who tried to catch hold of the petitioner. The petitioner, however, succeeded in fleeing from the spot. Still further submits that earlier too the petitioner had been stalking the victims and had been asked to mend his ways. Learned State counsel further submits that both the victims stand examined before the trial Court and have supported the case of the prosecution. He has further apprised the Court that 09 out of 14 prosecution witnesses cited stand examined.

Heard.

Prima facie, there are specific allegations levelled against the petitioner of attempting to outrage the modesty of two minor girls aged 10 years and 12 years, for which he does not deserve the concession of bail.

Petitioner stands dismissed. However, it is made clear that anything contained in this order shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

September 03, 2021

S.Sharma(syr)

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No