

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

CRM-M-15010-2021

Date of Decision: 24.05.2021

Kishan Chand

....Petitioner

Versus

State of Haryana and another

...Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sumeet Goel, Advocate for the petitioner.

Mr. Pankaj Middha, Addl. A.G., Haryana.

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in protest petition bearing complaint case No. UCR-4/2.5.19 and summoning order dated 22.02.2021 issued under Sections 452 and 506 IPC and Section 8 of POCSO Act in FIR No. 116 dated 08.11.2018, under Sections 354(b), 452, 506 IPC and Section 8 of POCSO Act registered at Police Station Women Palwal, Haryana.

The FIR was lodged on the complaint of the prosecutrix. The prosecutrix is 16 years old. She alleged that on 02.11.2018 at about 11.00 a.m., the petitioner aged about 54-55 years entered the house of the prosecutrix and enquired about her parents and confirmed that she was alone at home. He came forward towards her and grabbed her breast from back side, pressed the same and pushed her down upon the bed. He broke the string of her salwar and started committing sexual assault. On this the prosecutrix raised hue and cry and somehow she managed to come out of the house. In the meantime, Murari Lal her grandfather came there and saw her crying. He enquired about the incident. She revealed the entire incident to him.

Learned counsel for the petitioner states that the matter was enquired into and finding no substance in the complaint cancellation report was filed. However on a protest petition filed by

the complainant, the petitioner have now been summoned through non bailable warrants vide order dated 22.02.2021 to face the trial. The next date of hearing fixed in the case is 15.07.2021.

Learned counsel for the petitioner states that the petitioner is ready and willing to face the trial and shall appear before the Court on the date fixed.

Having heard learned counsel for the parties and taking into account the facts of the present case, this petition is disposed of with the observation that the petitioner may appear before the learned trial Court on or before 15.07.2021. On his doing so, he shall be released on interim bail by the trial Court subject to his furnishing bail bonds and surety bonds to its satisfaction. He shall also file an undertaking to continue appearing before the Court as and when required apart from following all the terms and conditions fixed in this respect. Till then the arrest of the petitioner shall remain stayed.

May 24, 2021
rashmi

[HARINDER SINGH SIDHU]
JUDGE

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no