

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

Sr. No.107

CRM-M-17988-2021

Date of decision: 29.04.2021

Sudhir

....Petitioner

Vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S.S. Jattan, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.82 dated 21.03.2021 registered under Sections 148, 149, 201, 323, 325, 506 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012 at Police Station Chhappar, District Yamuna Nagar.

Briefly stated, the case of the prosecution is that the petitioner, who was studying in the same school as the complainant's 14 year old daughter, was harassing and molesting her; when this fact came to the knowledge of the complainant, he told the petitioner's father about the same but the petitioner continued to harass the complainant's daughter; on March 20, 2021, when the complainant's daughter was working in the fields,

the petitioner again molested her; the complainant's daughter started shouting; the complainant reached the fields; on seeing the complainant, the petitioner ran away; the complainant then called up the petitioner and complained about the same to his mother; at about 6.30 P.M. in the evening, the petitioner alongwith co-accused, duly armed, came to the complainant's house and attacked the complainant and his family members; as a result of such attack, the complainant received seven injuries including a fracture on his skull and that his family members namely Daya Rani and Ravi also received injuries at the hands of the petitioner and his co-accused.

Learned counsel for the petitioner contends that the petitioner is a 17 year old boy who has no criminal antecedents and that the petitioner was not present at the time when the alleged occurrence took place as neither he is attributed any injury nor any injury has been caused upon him.

The complainant's 14 year old daughter, who is studying in the same school as the petitioner, is alleged to have been constantly harassed and even molested by the petitioner; such allegations are borne out not only from the FIR but also in the statement made by the complainant's daughter before the Magistrate under Section 164 Cr.P.C.; when the issue with regard to molestation of the complainant's daughter by the petitioner was brought to the notice of the petitioner's mother, the petitioner and his family members, duly armed, are alleged to have trespassed in the complainant's house and then attacked his family members; there are as many as seven injuries on the complainant which includes a fracture of his skull and that Daya Rani and Ravi, who are the complainant's relatives have also received injuries.

In view of the above serious allegations against the petitioner,

the present case is not considered to be a fit one for the grant of anticipatory bail.

Dismissed.

April 29, 2021
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No