

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-27740-2021
Decided on : 20.09.2021

Bittu Bansal

..... Petitioner

Versus

State of UT, Chandigarh

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Pardeep Kumar Kapila, Advocate
for the petitioner.

Mr. A.M.Punchhi, Public Prosecutor,
Chandigarh.

Manjari Nehru Kaul, J.

This is the second petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.152 dated 04.09.2020 registered under Sections 354-A(A)(i) IPC,1860 and Section 8 of POCSO Act, 2012 at Police Station East Sector 26 District Chandigarh.

Learned counsel for the petitioner *inter alia* contends that the victim, who is niece of the petitioner, has levelled false allegations against him of indulging in inappropriate behaviour and molesting her. It is submitted that it cannot be believed that a maternal uncle would indulge in such like behaviour with his own niece. Learned counsel submits that as the petitioner has been in custody since 05.09.2020 and the victim stands examined, no useful purpose would be served by keeping in custody.

Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. He, on instructions from SI Dalip Singh has apprised the Court that the evidence of

the victim has already been recorded by the trial Court wherein she has supported the case of the prosecution in its entirety.

Heard.

Prima facie there are serious allegations against the petitioner of molesting and indulging in inappropriate behaviour with the minor daughter of his real sister for which he does not deserve the concession of bail. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

20.09.2021

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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No