

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

228

**CRM-M-30106-2021
Decided on : 04.08.2021**

Sombir

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Lalit Kumar, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG, Haryana
assisted by LSI Chand Kaur.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 109, dated 02.03.2021, under Sections 354-A, 323, 201 of IPC and Section 12 of the POCSO Act, 2012, registered at Police Station Meham, District Rohtak.

Learned counsel for the petitioner submits that false allegations have been levelled against the petitioner of indulging in inappropriate behaviour including vulgar utterances with the complainant's daughter, aged 12 years, when the latter objected to his urinating outside their house. Learned counsel further submits that the delay of three months in the lodging of the FIR in question from the date of alleged occurrence lends credence of a false and fabricated case having been foisted upon the petitioner. Learned counsel further submits that only challan has been presented and thus there is no likelihood of the trial concluding in the near future.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from LSI Chand Kaur, submits that there are serious allegations levelled against the petitioner of inappropriate behaviour, hence, he be not extended the concession of bail.

Heard.

In view of the submissions made by learned counsel for the parties and keeping in view the fact that petitioner has been in custody since 09th March, 2021 and only challan stands presented so far, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. 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

August 04, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*