

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

209

CRM-M-29235 of 2020 (O&M)  
Date of Decision: 02.03.2021

**Rohtash Kumar @ Sheelu**

..... Petitioner

**Versus**

**State of Haryana**

..... Respondent

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr. Pardhuman Garg, Advocate,  
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab

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**AMOL RATTAN SINGH, J. (ORAL)**

Case heard via video conferencing.

**CRM-30706 of 2020**

Learned State counsel today very fairly submits that as regards placing on record additional documents that the petitioner wishes to file with this application, he would not be opposing the matter, subject to all just exceptions.

That being so, the application is allowed and the copies of the certificate shown to be issued by the Principal of the Senior Secondary School concerned, dated 06.10.2020, as also the affidavit of Smt Birma Devi (stated to be the mother of the petitioner), dated 23.10.2020, are ordered to be taken on record as Annexures P-3 and P-4 with the accompanying petition.

**CRM-M-29235 of 2020**

By this petition, the petitioner seeks the concession of 'regular bail'

under the provisions of Section 439 of the Cr.P.C., upon FIR no.61, dated 02.06.2020, having been registered at Police Station Women, District Sirsa, alleging therein the commission of offences punishable under Sections 354-C and 506 of the IPC as also Section 12 of the POCSO Act.

Learned counsel for the petitioner submits that the petitioner is working as a guard in the Girl Senior Secondary School and as per the aforesaid certificate, Annexure P-3, the Principal has certified that there are about a thousand girls studying in the school and there is not even a single complaint against the petitioner, (and further, that during the period of the lock-down, the staff was not coming regularly to the school).

As per the affidavit of the petitioners' mother (copy Annexure P-4), it is stated that in fact she is staying with the petitioner and that her younger son (Mohan Lal) and his family do not care for her and in fact they fight with her and the petitioner (Rohtash), qua the Government pension that she is getting, and further there was a long-running family dispute over the ancestral house due to which Mohan Lal and his family were nursing a grudge against the petitioner and his family.

It has next been stated that the daughter of Mohan Lal (complainant in the FIR in question), has falsely implicated the petitioner in the matter due to the aforesaid dispute, with the petitioner being wholly innocent (as per the affidavit of the mother of the petitioner).

Learned counsel for the petitioner further submits that the petitioner has now been in custody since July 2020, with the report under the provisions of Section 173 of the Cr.P.C. already having been submitted to the competent court and consequently the petitioner may now be admitted to bail in view of the entire circumstances.

Upon query to learned State counsel, he does not deny the period of custody as also the fact that even the charge has been framed before the trial court.

That being so, without making any comment on the actual merits of the case, the petition is allowed, with the petitioner ordered to be admitted to bail to the satisfaction of the trial court.

March 02, 2021  
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(AMOL RATTAN SINGH)  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | No  |