

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

CRM-M-41053-2020 (O&M)

Date of decision: 12.02.2021

Mohd. Rashid

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vaibhav Parashar, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case bearing FIR No. 161 dated 10.09.2019 registered under Section 506 IPC and Sections 6, 8 and 10 of the POCSO Act, at Police Station Women Sector-16A, District Faridabad.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case by the complainant in collusion with the police to harass and humiliate him and further grab the money due to personal friction. The FIR was lodged after 4 months of the date of the alleged occurrence. There is no medical evidence or any local witness. The challan has been presented and the petitioner has been in custody since 15.09.2019.

Learned State counsel submits that the occurrence took place on 08.05.2019 at about 11.00 p.m. and the prosecutrix-minor girl was of 7 years of age at that time. He further submits that it is a case of penetrative sexual assault on the minor girl. The challan has already been presented. Out of 13 prosecution witnesses, 2 witnesses have been examined so far and now the case is fixed for 16.02.2021.

I have heard the learned counsel for the parties.

The allegations against the petitioner are serious in nature, inasmuch as, he is alleged to have committed a penetrative sexual assault on a minor girl of 7 years. Thus, no indulgence is required to be granted to the petitioner and he does not deserve the concession of regular bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

12.02.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No