

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

CRM-M-41978-2020 (O&M)
Date of decision : 23.03.2021

Vishnu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Pawan Bishnoi, Advocate
for the petitioner.

Mr. Raman Kumar Sharma, Additional Advocate General,
Haryana.

JITENDRA CHAUHAN, J. (Oral)

The matter has been taken up through video conferencing in the light of the pandemic COVID-19 situation and as per instructions.

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 seeking bail in FIR No. 297 dated 16.12.2019, registered under Sections 10 & 12 of the Protection of Children from Sexual Offences Act, 2012; Sections 75 & 82 of the Juvenile Justice (Care and Protection of Children) Act, 2000 and Section 3 of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Adampur, Hisar.

Learned counsel for the petitioner states that the FIR is the result of rivalry amongst the teachers. He refers to statement of the prosecutrix (Annexure P-10) recorded by the learned trial Court to contend that she has not supported the case of the prosecution. He is in custody in

On the other hand, learned State counsel opposes the prayer made in the instant petition and submits that there are serious allegations against the petitioner.

Heard.

In pursuance to the order dated 25.02.2021, the prosecutrix was produced before this Court by the officers of the Women and Child Development Department and was heard in person on 22.03.2021 .

In view of the above, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on furnishing indemnity bonds with two local sureties in the like amount to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

Vide order dated 25.02.2021, the proceedings before the learned trial Court were ordered to be stayed. The order dated 25.02.2021 to that extent is recalled. The learned trial Court is directed to proceed with the trial as per law.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(JITENDRA CHAUHAN)
JUDGE

23.03.2021
jyoti-II

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No