

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

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CRM-M-44312-2020

Date of decision: 19.04.2021

Pawan

... Petitioner

Vs.

State of Haryana

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gurinder Pal Singh, Advocate for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

This petition has been filed under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.323, dated 25.08.2020 registered under Section 6 of POCSO Act, 2012 [now charged under Section 4 of POCSO Act (in alternative u/s 376(2) (i) IPC)] and Section 323 IPC, at Police Station Sector 14, Gurugram, Haryana, Annexure P-1.

As per the version of the prosecution, FIR, Annexure P-1, has been registered on the complaint of the father of the prosecutrix on the allegation that Pawan, present petitioner, has beaten his minor daughter and sexually assaulted her. Statement of the prosecutrix was recorded under Section 164 Cr.P.C., she was medically examined and sent for counselling to Child Welfare Committee. The petitioner was

arrested on 25.08.2020.

Counsel for the parties have been heard.

The victim is a young girl of 10 years of age. There are specific allegations against the petitioner which have been supported by her in her statement recorded under Section 164 Cr.P.C. as well as during the course of her examination in Court as a prosecution witness. The trial is at an advanced stage as most of the prosecution witnesses have been examined. Grant of regular bail is not warranted, at this stage.

Accordingly, the petition for grant of regular bail to the petitioner is dismissed.

It is clarified that any observation made hereinabove shall not be construed to be an expression of opinion on the merits of the case.

19.04.2021

pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No