

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

214

(Through Video Conferencing)

CRM-M-1055-2022

Date of decision: 03.02.2022

Dal Chand @ Dabbu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gaurav Singla, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.124 dated 25.09.2020 lodged under Sections 10 and 12 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Women Central, Ballabgarh, District Faridabad.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand on account of a money dispute between him and the complainant. It has further been submitted that the petitioner has been in custody since 28.09.2020 and there is no likelihood of the trial concluding in the near future. Hence, he be extended the concession of bail as all the material witnesses stand examined and his further incarceration would serve no useful purpose.

Learned State counsel, while vehemently opposing the

prayer and submissions of the counsel opposite, submits that there are serious allegations levelled against the petitioner, who is a 40 years old man of having sexually assaulted the victim aged just 10 years. She on instructions submits that 04 out of 12 prosecution witnesses stand examined which include all the material witnesses. She submits that all the material witnesses including the victim supported the case of the prosecution in its entirety. Learned State counsel has, thus, opposed the prayer made by counsel opposite.

I have heard leaned counsel for the parties and perused the material on record.

In the circumstances as enumerated hereinabove coupled with the allegations levelled against the petitioner, this Court does not deem it fit to extend the concession of bail to the petitioner.

Dismissed.

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.

03.02.2022

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No