

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

**CRM-M No. 47056 of 2023  
Date of Decision: 16.10.2023**

Sahil

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM:    *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

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Present:-    Mr. Harish Bhatti, Advocate  
                  for the petitioner.

Mr. Apoorv Garg, Senior DAG, Haryana  
                  for the respondent-State.

**MEENAKSHI I. MEHTA, J.(Oral)**

The petitioner herein has sought the relief of regular bail in the criminal case arisen out of FIR No.429 dated 28.05.2023 registered at Police Station Karnal City, District Karnal, under Sections 147, 149, 323, 341, 354, 427, 452, 506 IPC and Section 10 of the POCSO Act.

2.            Shorn and short of unnecessary details, the allegations, as levelled by the complainant/victim (here-in-after to be referred as 'P') in the subject FIR, are that while she was going to the market, the co-accused of the petitioner named Abhishek and Shooter, along-with their one unknown companion, molested her and when Amit, her co-worker, tried to intervene, they fled away from the spot while threatening to kill him. On the next day, the afore-said three co-accused of the petitioner again came

and threatened said Amit who closed his shop and left the place and when, he re-opened the shop after sometime, 10/12 boys entered into the same and assaulted him and one of those boys named Radhey outraged her modesty.

3.            Learned State counsel has submitted the '*Pairvi-Report*' in the Court today and the same has been placed on the file.

4.            I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have also perused the file carefully.

5.            Learned counsel for the petitioner contends that the petitioner had not been arraigned as the accused in the above-said FIR and he is behind the bars since the day of his arrest, i.e 31.05.2023 and Challan has already been presented and Charges have also been framed in the case and moreover, in her statement recorded under Section 164 Cr.P.C, 'P' has not levelled any allegation against the petitioner and in these circumstances, he (petitioner) deserves the relief, as prayed for in the instant petition.

6.            Learned State counsel does not dispute the afore-referred factual position but he opposes the prayer of the petitioner for the grant of the relief of regular bail.

7.            However, keeping in view the above-discussed undisputed facts and circumstances and also the fact that the trial of the case is likely to take sufficient/considerable time to conclude and without commenting or expressing any opinion on the merits of the criminal case under reference, the petitioner named Sahil is, hereby, ordered to be released on regular bail

subject to his furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8.                    The petition in hand stands allowed accordingly.

October 16, 2023  
pooja

(MEENAKSHI I. MEHTA)  
JUDGE

|                                   |            |
|-----------------------------------|------------|
| <i>Whether speaking/reasoned:</i> | <i>Yes</i> |
| <i>Whether Reportable:</i>        | <i>No</i>  |