

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.206

CRM-M-53081-2022
Date of Decision: 10.02.2023

Sanjeet @ Sandeep @ Haggi

.... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Kushagra Beniwal, Advocate for
Mr. Ketan Antil, Advocate
for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

TRIBHUVAN DAHIYA, J. (ORAL)

This is a petition under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.126 dated 02.03.2022, registered under Sections 354-A, 354-B, 376, 452, 506, 511, 34 of IPC, Sections 6, 10 and 18 of POCSO Act, 2012, at Police Station Civil Line Sonapat, District Sonapat.

Allegations against the petitioner as per FIR, lodged by the prosecutrix, are that on 25.02.2022, he along with co-accused entered her house and finding her alone, started teasing her and also tore her clothes. The accused also tried to commit wrong act with the complainant also. On her raising hue and cry, they ran away from the spot.

Learned counsel for the petitioner contends that the complaint in question is an afterthought, and has been submitted after more than seven days of the alleged incident. He also states that, in fact, petitioner has been wrongly implicated in the present case, as there was a dispute between the

parties on account of the co-accused having been manhandled by complainant's brother. The co-accused even lodged a complaint to the police in that regard, dated 26.02.2022 (Annexure P-3). He further submits that the prosecutrix has already been examined, and the petitioner remains in custody since 04.03.2022.

Learned State counsel, upon instructions from SI Rakesh, opposes the grant of bail to the petitioner, stating that trial of the case is progressing, and twelve out of twenty three witnesses have already been examined. He, however, does not dispute that the prosecutrix/complainant already stands examined.

In this background, keeping in view the fact that trial of the case is not likely to conclude in near future and the prosecutrix and other material witnesses already stand examined, this Court deems it appropriate to grant regular bail to the petitioner on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Ordered accordingly.

Petition stands allowed.

(TRIBHUVAN DAHIYA)
JUDGE

10.02.2023
Maninder

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