

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

217

CRM-M-3758-2024 (O&M)
Date of decision: 19.03.2024

SOHAN LAL ALIAS SONU

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing FIR No.237 dated 23.10.2023 registered under Sections 354, 452, 354-A IPC and Section 8 of the POCSO Act, 2012 at Police Station Rajound, District Kaithal.
2. The petitioner is facing trial in the present case, which has been registered at the instance of the complainant on account of sexual harassment committed upon her by the petitioner.
3. Status report by way of an affidavit of Lalit Kumar, HPS, Deputy Superintendent of Police, Kalayat as well as custody certificate have been filed on behalf of respondent-State, which is taken on record.
4. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and the petitioner is in custody

since 16.11.2023. As per the prosecution case, the petitioner had entered the house of the prosecutrix on 21.10.2023 when she was alone at her house, then he caught hold of her hand and made an attempt to commit wrong act with her. However, the prosecutrix raised an alarm and her cousin brother reached at the spot. He further contends that the petitioner is ready to face the trial. He submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

5. On the other hand, learned State counsel opposes the bail on the ground of gravity of allegations levelled against the petitioner. However he has informed that after the completion of the investigation, report under Section 173 Cr.P.C. has been presented before the trial Court and charges have been framed against the petitioner. He has further informed that as per the custody certificate, the petitioner is in custody for the last 04 months and 03 days.

6. I have considered the aforesaid contentions and perused the statement of the prosecutrix recorded under Section 164 Cr.P.C. (Annexure R-1). No doubt the allegations against the petitioner are serious in nature but the petitioner is in custody since 16.11.2023. Investigation is complete and the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court; there are total 15 prosecution witnesses which are yet to be examined, the trial will take some time to conclude and there is no apprehension of the petitioner absconding during the trial.

7. Without commenting on the merits of the case and keeping in view the above facts, the present petition is allowed.

8. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds/surety to the satisfaction of the trial Court/CJM,

concerned.

9. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

19.03.2024
P.Bhatt

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