



CRM-M-8879-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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Date of decision:04.11.2024

Ravi Kumar

...Petitioner

Versus

State of Haryana and another

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gaurav Vir Singh Behl, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Jagdish Manchanda, Advocate
for the complainant.

HARPREET KAUR JEEWAN , J.

1. The present petition has been filed under Section 439 of Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.243 dated 06.12.2023 under Sections 354 & 354-A of IPC, 1860 and under Section 10 of Protection of Children from Sexual Offences Act, 2012 (354-D, 506, 509 & 34 IPC & 12 of POCSO, added later in Challan) registered at Police Station Siswan, District Kaithal.
2. As per the prosecution case, the case was registered on the basis of a complaint given by the prosecutrix with the allegation that the petitioner had molested her and other girl students of the school.
3. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case and he is in custody since 07.12.2023. Learned

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counsel for the petitioner *inter-alia* contends that the petitioner is 56 years of age and he has already undergone a substantial period of custody for a period of about 10 months and 28 days. The statement of the prosecutrix witnesses, i.e. witness No.1 to witness No.4 (Annexure A1 to A4) have already been recorded.

4. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner. As per the custody certificate dated 4.11.2024, the petitioner has undergone 10 months and 28 days of custody as under-trial. Learned State counsel has informed that the statements of 04 prosecution witnesses (Annexure A-1 to A4) have been recorded.

5. Learned counsel for the complainant submits that the complainant has no objection, in case the petitioner is ordered to be released on bail.

6. I have heard the learned counsel for the parties and perused the relevant documents.

7. As per the prosecution version, on 06.12.2023 a child victim who is a student of 12th class, made a complaint against the present petitioner, who is the principal of the school with the allegations that on 02.12.2023, the petitioner misbehaved with her as well as with another student i.e. Kxxx. There are allegations that he used to utter vulgar abuses and outraged the modesty of prosecutrix and touched her in a bad way. Further allegations are that the prosecutrix was called in the office and she was threatened not to narrate these facts to anyone. The statements of 4 students were recorded under Section 164 Cr.P.C. (Annexure R1 to R4). The petitioner is in custody since 07.12.2023. There are also allegations against a contractor Deepak, who was doing some construction work in the school, that he had also been teasing the school students and using the vulgar language.



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8. However, learned counsel appearing for the petitioner has informed that Deepak has already been released on anticipatory bail passed by this Court vide order dated 31.1.2024 (Annexure P-8).
9. The challan has already been presented. Charges have been framed. As per the statement of the prosecutrix (PW-4) - Sxxx and as per the statement of second prosecutrix (PW-2) – Kxxx they have not stated anything against the petitioner.
10. Keeping in view the nature of allegations against the petitioner and the custody period of the petitioner and without commenting on the merits of the case and also considering the fact that there are total 13 prosecution witnesses, out of which only 04 witnesses have been recorded and the trial is likely to take time, as such, the present petition is allowed.
11. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.
12. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

04.11.2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No