



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.12319 of 2024 (O&M)
Date of Decision: 17.05.2024

Ankit Kumar
... Petitioner
Versus
State of Haryana & Others
... Respondents

CORAM: HON’BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Aditya Sanghi, Advocate,
for the petitioner.

Ms. Harsh Rekha Kapoor, AAG, Haryana,
for respondent No.1-State.

Mr. Harvinder Pal Singh Ghuman, Advocate,
for respondents No.2 & 3.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, the petitioner, above-named, has sought the relief of regular bail in the criminal case arisen out of the FIR bearing No.177 dated 18.05.2022 registered at Police Station Sadar Kanina, District Mahendergarh, under Sections 354-D, 506 read with Section 34 IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short ‘the POCSO Act’).

2. Shorn and short of the unnecessary details, the allegations, as levelled by the complainant in the subject FIR, are that his daughter (here-in-after to be referred as ‘P’) and the petitioner used to travel in the same Bus to go to their school and the petitioner had been maligning ‘P’ by spreading



false rumours regarding her having an affair with some boy and he had also been harassing her ('P').

3. Status-Report has already been filed on behalf of respondent No.1-State (by way of the affidavit of the Deputy Superintendent of Police, Mahendergarh), along-with Annexures R-1 to R-7 and vernacular versions of Annexures R-1 to R-6. Custody-Certificate of the petitioner, as submitted in the Court today, has also been taken on the record.

4. I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel for respondents No.2 and 3 in the present petition and have also perused the file carefully.

5. Learned counsel for the petitioner contends that the petitioner is behind the bars since the day of his arrest, i.e 30.11.2023 and the Challan has been presented and the charges have been framed against the petitioner under Section 12 of the POCSO Act and Section 506 IPC and the victim (P) and her father, i.e the complainant, have already been examined as the prosecution witnesses before the trial Court and moreover, the petitioner has not been convicted in any other criminal case of the similar nature and in these circumstances, he deserves the relief of regular bail, as prayed for in the instant petition.

6. Learned State counsel and learned counsel for respondents No. 2 and 3 do not dispute the afore-referred factual position but they oppose the prayer of the petitioner for grant of the relief of regular bail.

7. Keeping in view the above-discussed facts and circumstances and also the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the criminal case under reference, the petition in hand is, hereby, allowed



and the petitioner named Ankit Kumar is 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.

May 17, 2024
seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No