



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

231

CRM-M No.25702 of 2024
Date of Decision : 02.07.2024

Sanjot SinghPetitioner

VERSUS

State of HaryanaRespondent

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Rishi Lal, Advocate for the petitioner.
Mr. Jagdish Manchanda, Addl. AG Haryana.

ALKA SARIN, J. (Oral)

1. This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.212 dated 16.05.2023 under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short ‘POCSO Act’) registered at Police Station Sector 13/17 Panipat, District Panipat. The first petition being CRM-M-55774-2023 was dismissed as withdrawn on 12.12.2023.
2. The FIR was registered on the statement made by the father of the minor child who stated that the behaviour of the child had changed since the last 20 to 25 days and on seeing the school van she would cry. When the wife of the complainant asked the daughter politely, she stated that one teacher having a moustache took her to a washroom and did a bad touch with her and also injected an injection. The incident was narrated to the school manager who showed the photographs of the school staff on his

mobile. The minor child pointed towards the P.T.I. teacher i.e. the petitioner herein and said that he did the bad touch with her.

3. Learned counsel for the petitioner would contend that the petitioner has already been in custody for a period of 01 year 01 month and 15 days and that the petitioner has clean antecedents and that he has falsely been implicated in the present case. It is further the contention that out of 20 prosecution witnesses only 09 have been examined till date. However, the complainant already stands examined.

4. Learned State counsel has filed the status report by way of affidavit of Krishan Kumar, HPS, Deputy Superintendent of Police, CAW Panipat alongwith the custody certificate, which is taken on record, as per which the petitioner has already been in custody for a period of 01 year 01 month and 15 days and has clean antecedents. Learned State counsel is also not in a position to deny the fact that out of 20 witnesses only 09 have been examined. He, however, states that the complainant stands examined.

5. Heard.

6. In the present case the petitioner has already been in custody for a period of 01 year 01 month and 15 days. The conclusion of trial is likely to take some time as out of 20 witnesses only 09 have been examined. The medical of the minor child does not *prima facie* show any sign of injuries.

7. In view of the above and without commenting upon the merits of the case and keeping in view the fact that the conclusion of trial is likely to take some time and no useful purpose would be served by keeping the petitioner behind bars, I deem it to be a fit case to grant the concession of

regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the Area Magistrate/Additional Sessions Judge (Duty) concerned.

8. However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

9. It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

10. Disposed off. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

02.07.2024
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO