



CRM-M-24485-2024

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

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Date of decision : 17.07.2024

Silender @ Sikander @ Londia

..... Petitioner

V/S

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr.Sanchit Punia, Advocate
for petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI J.

1. Petitioner - Silender @ Sikander @ Londia filed second petition under Section 439 of Cr.P.C. seeking regular bail in FIR No.78 dated 19.03.2021 under Sections 354, 363, 366-A, 376AB, 450 and 511 IPC and Section 6, 10 and 18 of POCSO Act, registered at Police Station Agroha, District Hisar.

2. Facts of the case are that complainant gave her statement to police that she is having two children a son and a daughter i.e. the victim who is 10 years old. On 18.03.2021, she was present along with her mother in the hospital and her son was also accompanying her. Her husband Surender and victim were present in the house at night time. At about 12 O'clock in the night her husband called her and informed that some unidentified persons came inside their house and took away their daughter with bad intention. After some time Roshni came and



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brought their daughter back and she was weeping. She returned home and found that victim was nervous. On inquiry she disclosed that she was taken away by petitioner and he forced her to indulge in obscene act. On the alarm raised by her, Roshni came there and brought her back to home. With these allegations, present case has been registered.

3. Learned counsel for petitioner argued that petitioner was arrested on 24.03.2021 and since then he is behind the bars. On the ground of long custody, second regular bail application has been filed before this Court. Allegations are false and baseless. No offence is made out under the provisions of Indian Penal Code (IPC) or Protection of Children from Sexual Offences (POCSO) Act. He is ready to abide by the terms of bail order. It is prayed that his second regular bail application may be allowed.

4. Bail application is opposed by learned counsel representing the State. It is pointed out that there is no ground to justify second regular bail. First regular bail application was declined by this Court vide order dated 25.01.2023 (Annexure P-4). Considering the gravity of offence, second regular bail application filed by petitioner may be declined.

5. I have considered the arguments. It is a matter of record that this is second regular bail application filed by petitioner. First regular bail application i.e. CRM-M-53263-2022 was declined by this Court vide order dated 25.01.2023 (Annexure P-4). Thereafter, petitioner filed 4th regular bail application before learned trial Court which was also declined by learned Additional Sessions Judge, Fast Track Special Court, Hisar vide order dated 26.04.2024



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(Annexure P-3). Petitioner is about 32 years of age whereas victim was small child aged about 10 years. Therefore, considering the gravity of offence, second regular bail application filed by petitioner is declined.

6. It cannot be ignored that present petitioner is behind the bars since 24.03.2021. Trial of this case is taking long time. Learned trial Court is directed to decide the present case expeditiously by giving short adjournments, as per law.

7. The petition is, accordingly, disposed of.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

17.07.2024.*Sunil Devi*

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No