



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-29330-2024 (O&M)
Date of decision: 30.08.2024

RAMPAL ALIAS BANDA

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Mohit Rathee, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

HARPREET KAUR JEEWAN, J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.59 dated 21.03.2024 under Sections 354-A, 354-D, 506 IPC and Section 12 of the POCSO Act, 2012 registered at Police Station Salhawas, District Jhajjar.
2. Custody certificate dated 28.08.2024 has been filed on behalf of the respondent-State, which is taken on record.
3. Status report by way of an affidavit of Gulab Singh, HPS, Asstt. Commissioner of Police, Jhajjar, District Jhajjar along with the documents filed on behalf of the respondent-State are taken on record.
4. As per the prosecution case, on 13.03.2024, the prosecutrix aged



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about 17 years came to the house of her grandfather and started residing there. On 17.03.2024, she received a telephonic message from mobile No.9053236210 offering her friendship and the sender informed his name as Amit. Thereafter, she again received another message from mobile No.9350246560 from the said sender. The prosecutrix was repeatedly getting these messages, as such the grandfather of the prosecutrix informed the matter to the police, upon which the present FIR was registered. The petitioner along with co-accused-Sharwan @ Shanda was arrested on 07.05.2024.

5. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and he is in custody since 07.05.2024. He further contends that there is nothing incriminating against the petitioner. Investigation is complete and final report under Section 173 Cr.P.C. has been presented before the trial Court. The petitioner is ready to face trial. He further submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

6. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner. He has informed that the material witnesses i.e. the victim and her grand-father have been examined.

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

8. Investigation is complete and the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court. Allegations and counter allegations are matter of trial. As per the custody certificate, there is no history of any other case against the petitioner. The petitioner is in custody for 03 months and 22 days. Statements of the material witnesses have already been



recorded and conclusion of the trial is going to take time.

9. In view of the above, the petition is allowed. 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.
10. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
11. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

30.08.2024
P.Bhatt

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