



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

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CRM-M-36178-2024 (O&M)
Date of decision : 25.07.2025

AmarjeetPetitioner

versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Sanchit Punia, Advocate for the petitioner.

Ms. Priyanka Sadar, Senior D.A.G., Haryana.

NAMIT KUMAR, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 of Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case bearing FIR No.1066 dated 28.09.2023 registered under Sections 323, 354A, 506 & 34 of Indian Penal Code, 1860 and Section 8 of Protection of Children from Sexual Offence Act, 2012 at Police Station HTM Hisar, District Hisar.

2. Status report by way of an affidavit of Mr. Tanuj Sharma, HPS, Deputy Superintendent of Police, Traffic, Hisar, on behalf of the respondent-State, filed in the Registry is taken on record.

3. Brief facts of the case are that on 28.09.2023, a ruqa was received in the Police Station from General Hospital, Hisar to the effect that a girl, aged about 17 years, is lying admitted in the Hospital. Thereafter, PSI Lovely along with HC Dharampal reached at Hospital and collected MLR of the victim and after obtaining opinion from the doctor recorded her statement, wherein she has alleged that accused-



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Amarjeet (the present petitioner), who lives in her neighbourhood, has been making obscene gestures towards her for the last one month. She also told about this to her mother and her mother advised the petitioner and his family members but to no effect. On 28.09.2023, at around 8:00 A.M. when she was sweeping outside her home, the petitioner came there and asked her that he loved her and he caught her hand. When she tried to free, the petitioner went to his home and brought an iron rod and hit on her head. In the meantime, father of the petitioner came and attacked on her left shoulder with a danda. When she raised alarm, her family members and neighbourer came in the street and thereafter, the petitioner and his father fled from the spot after threatening her. On the basis of the said statement, the instant FIR was registered.

4. Learned counsel for the petitioner, inter alia, submits that the petitioner is innocent and has been falsely implicated in the present case. The small dispute of sweeping the street between the neighbours has led to the registration of the instant FIR. He submits that it is a case of version and cross-version, wherein both the parties have suffered injuries. The allegation with regard to the injuries inflicted by the petitioner are simple in nature as is clear from the bare perusal of the averments made in para 6 of the status report dated 09.01.2025. He submits that even the father of the petitioner has also suffered injuries. He submits that the minimum sentence for the alleged offences is 05 years and the case is triable by the Magistrate. He further submits that the petitioner is behind the bars since 29.02.2024 and not involved in any other case. He also submits that investigation in the present case is



complete; challan stands presented; charges have been framed and out of total 19 prosecution witnesses, only 04 have been examined so far. The trial is likely to take a considerable time to conclude and therefore, no fruitful purpose would be served by detaining the petitioner behind the bars.

5. Per contra, learned State counsel, while referring to the averments made in the status report, has vehemently opposed the prayer for grant of regular bail to the petitioner on the ground that the allegations against the petitioner are serious in nature. However, she could not refute the factual position that out of total 19 prosecution witnesses, only 04 have been examined so far. She has also produced custody certificate dated 23.07.2025 in the Court which is taken on record. As per the custody certificate, the petitioner is in custody for the last more than 01 year and 04 months and not involved in any other case.

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

7. Keeping in view the custody period of the petitioner, which is 01 year, 04 month and 25 days and the facts that it is a case of version and cross-version; investigation has been completed; challan has been presented; charges have been framed and out of total 19 prosecution witnesses, only 04 have been examined so far; the petitioner is not involved in any other case and the trial may take a considerable time to conclude, therefore, the petitioner is ordered to be released on regular



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bail during trial on his furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court.

8. The petition stands disposed of accordingly.

9. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

10. Pending application, if any, shall stands disposed of accordingly.

25.07.2025

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**(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No