

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM No.M- 4063 of 2015(O&M)

Date of Decision: February 12, 2015.

Makkhan Lal

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. J.S.Hooda, Advocate
for the petitioner.

Mr. Pawan Girdhar, Addl.A.G., Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Petitioner prays for bail pending trial in FIR No.420 dated 20.09.2014, under Sections 346/366/376/120B IPC and Sections 3/4 of the Protection of Children from Sexual Offences Act, registered at Police Station Hathin, District Palwal.

It is submitted by learned counsel for the petitioner that petitioner is not named in the FIR nor in the statement of prosecutrix recorded under Section 164 Cr.P.C. He is a 72 years old man. As per the allegations, he has

facilitated the enticing of the prosecutrix by co-accused – Bir Singh. Petitioner is in custody since 20.09.2014.

Learned counsel for the State is unable to deny the factual position that the petitioner is 72 years old and his name does not figure in the FIR or in the statement of prosecutrix recorded under Section 164 Cr.P.C.

There is no other case in which the petitioner is involved. Trial is likely to take a long time to conclude. Challan/report under Section 173 Cr.P.C. has been presented.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances but without commenting or expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition.

Consequently, this petition filed by Makkhan Lal is allowed. Petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the Trial Court/Duty Magistrate, Palwal.

None of the observations made hereinabove shall not be construed to be a reflection on merits of the case and shall have no bearing on trial.

(**LISA GILL**)
JUDGE

February 12, 2015.
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