

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

Criminal Misc. No.M- 12724 of 2017(O&M)

Date of Decision: May 3 , 2017.

Manish PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Amandeep Rana, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.68 dated 13.02.2017 under Sections 354/354A/354D/379A/323/506 IPC registered at Police Station Pataudi, District Gurgaon.

It is submitted that the petitioner has been falsely implicated in the abovesaid FIR. The alleged incident in question is stated to have occurred at a busy public place i.e. the railway station at Gurugram on 13.02.2017. However, no details regarding the time of the incident are mentioned. It is submitted that no reason is forthcoming as to why the complainant did not immediately inform the officials present at the Railway Station, Gurugram or Pataudi. Furthermore, it is highly improbable that if such an incident did take place, no hue and cry was raised at the spot. At a place like a railway station

the public would have immediately gathered. The false implication of the petitioner is thus evident. It is therefore prayed that this petition be allowed.

Learned counsel for the State, on instructions from SI Rakesh Kumar, verifies that the challan/report under Section 173 Cr.P.C. has been presented. It is not disputed that the occurrence allegedly took place at a railway station. It is not denied that the petitioner is not involved in any other case. Trial in this case is not likely to conclude in the near future. The petitioner is admittedly in custody since 14.02.2017.

There are no allegations on behalf of the State that the 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 as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Manish is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

May 3 , 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No