

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

Criminal Misc. No.M- 19627 of 2017(O&M)

Date of Decision: July 20 , 2017.

Vasu @ Basu PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Rao Ajender Singh, Advocate
for the petitioner.

Mr. Sanjay K.Saini, AAG, 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.

The petitioner prays for bail pending trial in FIR No.81 dated 09.02.2014 under Sections 363/366 IPC and Sections 4/6 Protection of Children from Sexual Offences Act, 2012, registered at Police Station City Bahadurgarh, District Jhajjar.

It is submitted that the petitioner had, in fact, solemnized marriage with the daughter of the complainant. Furthermore, the complainant (PW1) as well as the victim (PW2) have not supported the prosecution version. The victim (PW2) admitted that she solemnized marriage with the petitioner. A child was

born out of this wedlock though unfortunately passed away. The petitioner, it is submitted, is not involved in any other criminal case. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Naresh Kumar, is unable to deny that the complainant (PW1) as well as the victim (PW2) have not supported the prosecution version. Both of them have been declared hostile. The petitioner, it is verified, is not involved in any other criminal case.

Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case. 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 Vasu @ Basu is allowed. The petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety 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.

July 20 , 2017.
'om'

(LISA GILL)
JUDGE

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