

Criminal Misc. M- No. 19782 of 2017 (O&M)

Date of decision : July 07, 2017

Amarjeet

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Vijay Kumar Sheoran, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 104 dated 24.01.2017 registered under Sections 452, 506, 34 IPC and Sections 8/12 of Protection of Children from Sexual Offences Act, 2012 at Police Station Sector 5, Gurugram, District Gurugram.

It is submitted that the petitioner has been falsely implicated in this case for the reasons. The petitioner is not named in the FIR and neither is there any allegation of sexual harassment against the present petitioner. The petitioner's name has figured on the basis of the disclosure statement suffered by the co-accused Ravinder. The said disclosure statement was recorded forty seven (47) days after the incident. There is no other evidence against the petitioner. The petitioner is not involved in any other criminal case. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions, from

HC Rajesh Kumar verifies that it is in the disclosure statement of the

co-accused Ravinder that the petitioner's name has figured. It is verified that the final report under Section 173 Cr.P.C./challan has since been presented. The trial, in this case, is not likely to conclude in the near future. It is, further, affirmed that the petitioner is not involved in any other criminal case.

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.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner 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 reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

July 07, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No