

CRM-27047-2017 in/and
CRM-M-23951-2017
Date of Decision : 29.08.2017

Gurbachan @ Abhi

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. S.S. Dalal, Advocate
for the petitioner.

Mr. Ramesh Kumar, AAG, Haryana.

LISA GILL, JUDGE (ORAL)

CRM-27047-2017

Certified copies of the statements of the complainant namely Smt. Shakuntla Devi and prosecutrix Kavita Devi recorded during trial before the learned Court below are taken on record as Annexures A-1 and A-2 subject to all just exceptions. Filing of typed copies of the same is exempted.

Application is disposed of.

CRM-M-23951-2017

Petitioner prays for the concession of bail pending trial in FIR No.76 dated 28.12.2016 under Sections 376, 354-D and 506 IPC and Section 67 of I.T. Act registered at Police Station Women Cell, Kaithal.

It is contended that the petitioner has been falsely implicated in this case. Moreover, the complainant as well as the alleged victim have not supported the prosecution case while deposing before the learned trial Court

on 31.07.2017. The certified copies of the statements of the victims PW-1 as well as the complainant PW-2 are on record as Annexures A-1 and A-2.

Learned counsel for the State is unable to deny the factual position as above and on instructions from ASI Krishan Kumar verifies that petitioner is not involved in any other criminal 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. Trial in this case is not likely to conclude in near future.

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 is allowed. The petitioner 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.

(LISA GILL)
JUDGE

29.08.2017
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No