

Criminal Misc. No. M- 25513 of 2017 (O&M)

Date of decision : September 28, 2017

Ajay

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Rakesh Dhiman, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 36 dated 14.02.2017 under Sections 323, 341, 506, 309, 109 IPC and Section 12 of Protection of Children from Sexual Offences Act, 2012 registered at Police Station Beri, District Jhajjar.

This is the second petition for anticipatory bail by the petitioner. The first petition was withdrawn on 05.07.2017 with liberty to file afresh with complete and better particulars.

Contentions noted on behalf of the petitioner on 28.05.2017 read as under:-

“ It is submitted that the petitioner has been falsely implicated in this case as he intervened when the complainant was beating the other co-accused. Petitioner had intervened saying that the complainant should not take the law in his own hands. The petitioner it is submitted is serving the Armed Forces and is 28 years old whereas the other co-accused are about 19/20 years old. Moreover, the other co-accused have been released on bail pending trial.”

It is submitted that the petitioner has since joined investigation.

It is, thus, prayed that this petition be allowed.

Heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Tarsem Singh, verifies that the petitioner has joined investigation. His custodial interrogation is not required. He 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.

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, order dated 28.07.2017 is made absolute.

September 28, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No