

CRM-M-26795-2017

Date of Decision : 21.08.2017

Gurvinder Singh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL**Present:** Mr. H.S. Virk, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, JUDGE (ORAL)

Petitioner prays for the concession of bail pending trial in FIR No.5 dated 15.04.2017 under Sections 354 (D), 506 IPC, Section 67 of I.T. Act and Section 12 of POCSO Act, registered at Police Station Women City, Sirsa.

It is submitted that the petitioner has been falsely implicated in this case. While referring to certain photographs attached as Annexure P-3 with the petition, it is submitted that the petitioner and the alleged victim had friendly relations. It is falsely stated in the FIR that photograph of the victim has been uploaded by the petitioner on the internet. There is no such evidence to this effect. In reality, the family members and parents of the victim were not in favour of the friendly relations between the petitioner and the victim. Moreover, it is submitted that the victim, in this case, has since testified before the learned trial Court. Therefore, this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State on instructions from Sub Inspector Sushil Bala verifies that the victim in this case has since deposed before the learned trial Court.

It is further verified that the 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 filed by the petitioner 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.

(LISA GILL)
JUDGE

21.08.2017
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No