

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

Criminal Misc. No.M- 27562 of 2017(O&M)

Date of Decision: August 4 , 2017.

Ravi Kumar PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Amandeep Singh Cheema, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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.17 dated 20.03.2016 under Sections 363/366A/376 IPC and Sections 3 & 4 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Bareta, District Mansa.

It is submitted that the petitioner has been falsely implicated in this case at the behest of the complainant who is the father of the alleged victim in question. The victim (PW2) has since testified before the learned trial court and she has not supported the prosecution version. In fact, she has stated that nobody

allured or kidnapped her for the purpose of solemnizing marriage and neither any sexual assault was perpetrated upon her. She has been declared hostile by the learned trial court. Copy of the statement suffered by PW2 is attached as Annexure P2 with this petition. The petitioner, it is submitted, has been in custody since March, 2016. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Teja Singh, is unable to deny the abovesaid statement suffered by the victim herself before the learned trial court. It is further affirmed and verified that the petitioner is not involved in any other criminal case.

Trial in this case is not likely to conclude in the near future. 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 Ravi Kumar 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.

August 4 , 2017.
'om'

(LISA GILL)
JUDGE

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