

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

CRM-M-27955 of 2017(O&M)

Date of decision : 09.08.2017

Amit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.B.S.Saroha, Advocate
for the petitioner.

Mr.Anmol Malik, AAG, Haryana.

LISA GILL,J(Oral)

Petitioner seeks the concession of bail pending trial in FIR No. 592, dated 28.11.2016, under Sections 346 (subsequently added Sections 365, 376, 120-B and 34 IPC), Police Station City Gohana, District Sonapat.

It is submitted that the petitioner has been falsely implicated in this case. Moreover, no overt act attracting the rigorous of Section 376 IPC has been raised against the present petitioner. Learned counsel for the petitioner refers to an application dated 09.06.2017 (Annexure P-4) submitted by the alleged victim i.e. the complainant's wife wherein she has raised specific allegations against her own husband i.e. the complainant. The said victim preferred CRM-M-25870 of 2017 (Annexure P-5) before this Court praying for protection of life and liberty at the hands of her husband and others. The said petition was disposed of by this Court on 20.07.2017 (Annexure P-6).

Learned counsel for the State on instructions from ASI Uday

Singh informs that pursuant to order dated 20.07.2017 (Annexure P-6) protection was afforded to the victim on her expressing apprehension to the life and liberty at the hands of her own husband i.e. the complainant. It is verified that the final report under Section 173 Cr.P.C has been presented. Charge against the petitioner has been framed, who 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.

09.08.2017

s.khan

(LISA GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No