

Criminal Misc. M- No. 28114 of 2017 (O&M)

Date of decision : August 08, 2017

Ravinder

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Robin Singh Hooda, Advocate for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 69 dated 10.02.2017 registered under Sections 354A, 452, 506 IPC and Section 12 of Protection of Children from Sexual Offences Act, 2012 at Police Station Kharkhoda, District Sonapat.

It is submitted that the petitioner and the complainant in fact had friendly relations. This was not to the liking of the family members of the complainant. Earlier FIR No. 262 of 2016 was registered against the petitioner in which he was afforded the concession of bail. It is further submitted that on 10.02.2017, the petitioner was manhandled and physically abused at the hands of the family members of the complainant. Reference is made to the Medico Legal Report dated 10.02.2017 (Annexure P-1). The petitioner, it is submitted, was discharged from hospital on 22.02.2017 and taken in custody in the present case.

Moreover, the complainant as well as her grandfather have since deposed before the learned trial Court on 06.06.2017. The trial in this case, is not likely to conclude in the near future. It is, thus, prayed that this

petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions, from ASI Bijender Singh, affirms and verifies that the complainant as well as her grandfather have since been examined before the learned trial court . It is verified that the petitioner is on bail in FIR No. 262 of 2016. Trial in this case is not likely to conclude in the near future.

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 made clear that the petitioner shall not try to contact the complainant or victim in any manner - directly or indirectly. Any infraction on the part of the petitioner can entail cancellation of his bail.

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.

August 08, 2017
rts

(Lisa Gill)
Judge

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