

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

Crl. Misc. No. M-29057 of 2017

Date of Decision : October 06,2017

Naveen.....Petitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

...

Present: Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

Mr. Gaurav Sethi, Advocate
for the complainant.

...

LISA GILL, J. (Oral)

The petitioners seek the concession of anticipatory bail in FIR No.312 dated 21.11.2016 under Sections 363/366A/120-B IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 registered at Police Station Mahesh Nagar, District Ambala.

Contentions of learned counsel for the petitioner as noted at the time of issuance of notice of motion read as under:-

“It is contended that the petitioner was not named by the alleged victim in this case at the initial stage after she was recovered on 20.11.2016. Even, in her statement under Section 164 Cr.P.C. she did not name the petitioner as an accused. It is only when she appeared before the learned trial Court that the victim for the first time named the present petitioner as one of

the main accused in the case. Petitioner has been summoned on an application under Section 319 Cr.P.C. He is ready and willing to face trial.”

Learned counsel for the petitioner submits that the petitioner has appeared before the learned Additional Sessions Judge, Ambala, on 16.08.2017. He has been admitted to interim bail pursuant to order dated 10.08.2017 passed by this Court. It is submitted that the petitioner undertakes to appear on each and every date before the learned trial Court.

A certified copy of order dated 16.08.2017 produced in Court today is taken on record subject to just exceptions.

Learned counsel for the State, on instructions from ASI Beryam Singh, Police Station Mahesh Nagar, District Ambala, verifies that the petitioner is not involved in any other criminal case.

There is no allegation that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the learned trial Court, if released on bail.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition. Consequently, interim bail afforded to the petitioner vide order dated 16.08.2017 is made absolute subject to the petitioner submitting fresh bail bonds and surety to the satisfaction of the learned trial Court.

06.10.2017
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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No