

Criminal Misc. No. M- 45580 of 2016 (O&M)

Date of decision : October 25, 2017

Amandeep

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. P.K. Ganga, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 186 dated 19.08.2016 under Sections 363, 366A IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 17 of Protection of Children from Sexual Offences Act, 2012 registered at Police Station Uklana, District Hisar.

It is submitted that the petitioner has been implicated in this FIR due to certain misunderstandings. The petitioner was directed to be released on interim bail to the satisfaction of the learned trial Court vide order dated 12.01.2017 passed in this case. In the interregnum, the alleged victim i.e. the daughter of the complainant and the petitioner, who was released on interim bail have solemnised marriage. Moreover, the victim (PW1) as well as the complainant (PW2) have not supported the prosecution version while testifying before the learned trial Court on 24.10.2017. Photocopies of the statements of PW1 and PW2 produced in Court are taken on record subject to just exceptions.

The factual position as above regarding marriage of the petitioner with the victim is verified by learned counsel for the State, on instructions from HC Falel Singh. It is not denied that PW1 and PW2 have not supported the prosecution version.

Keeping in view the peculiar 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, interim bail afforded to the petitioner by the learned trial Court pursuant to order dated 12.01.2017 be made absolute subject to his furnishing fresh bail bonds and surety 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.

October 25, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No