

Criminal Misc. M- No. 46617 of 2016 (O&M)

Date of decision : February 07, 2017

Ramesh Kumar

.....Petitioner

Versus

State of Haryana

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. Kawaljyot Singh, Advocate
for the complainant.

LISA GILL, J.

Prayer in this petition is for grant of bail pending trial to the petitioner in FIR No. 76 dated 16.11.2016 registered under Sections 323, 506 Indian Penal Code (for short 'IPC') and 10 of Protection of Children from Sexual Offences Act, 2012 at Police Station Women, District Panchkula.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated due to his relationship with the main accused namely Bantu. The petitioner is a cousin brother of Bantu. The petitioner has been in custody since 23.11.2016. The FIR in question has been lodged due to some misunderstanding between the parties. The matter has since been amicably resolved. Reference is made to a compromise dated 19.01.2017 (Annexure P-4).

Learned counsel for the complainant affirms the above said position.

Learned counsel for the State, on instructions, from ASI Parminder Kaur, Police Station Women Panchkula submits that the challan/report under Section 173 Cr.P.C. has been submitted.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.11.2016. There are no allegations on behalf of the State that petitioner is likely to abscond, 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 shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of learned trial Court.

February 07, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No