

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

Criminal Misc. No.M-15282-2018

Date of Decision: May 21, 2018.

MANI RAM

..... PETITIONER

Versus

STATE OF HARYANA

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Piyush Aggarwal, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.599 dated 05.11.2017, under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Shivaji Colony, Rohtak.

It is submitted that the petitioner, who is 78 years old and an ex-serviceman, has been falsely implicated in this case. Moreover, the complainant as well as the victim have since testified before the learned trial Court. The petitioner, it is submitted, is not involved in any other criminal case and has been in custody since 05.11.2017. The petitioner undertakes not to misuse the concession of bail, if afforded to him. It is thus prayed that this petition be

allowed.

Learned counsel for the State, on instructions from ASI Vinod Kumar, verifies that the complainant as well as the victim's sister have since testified before the learned trial Court. The petitioner is not reported to be involved in any other criminal case. He is in custody since 05.11.2017. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

May 21, 2018
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(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No