

Criminal Misc. No. M- 23435 of 2018 (O&M)

Date of decision : June 06, 2018

Ashok

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Mohit Rathee, Advocate for
Mr. Kuldeep Khandelwal, Advocate
for the petitioner.

Mr. Surender Singh Pannu, DAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 426 dated 28.12.2017 under Sections 370A, 120B, 506 IPC and Section 4 of Protection of Children from Sexual Offences Act, 2012 Act registered at Police Station Sadar Jind.

It is contended that the petitioner has been falsely implicated in this case. As per the allegations in the FIR, victim was allured by Vikash (victim's brother), his friends Kamal and Surinder. She was forcibly married to one Ramesh Yadav on 13.08.2017. Co-accused Ramesh Yadav told her that he had purchased the victim from Vikash and Surender through co-accused Sunil and the present petitioner was also referred to as Sokhiya. It is argued that there is no evidence on record against the petitioner against whom no overt act has been alleged. Moreover, similarly situated co-accused Sunil has been afforded the bail pending trial on 08.05.2018 in CRM-M-18561-2018. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State is unable to deny that similarly situated co-accused Sunil has been afforded the bail as mentioned above. It

is verified that final report under Section 173 Cr.P.C. has been presented. It is verified by learned counsel for the State that the petitioner is not involved in any other criminal case. 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 to the satisfaction of the learned trial Court/Duty Magistrate.

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.

June 06, 2018

rts

(Lisa Gill)
Judge

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