

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

Criminal Misc. No.M- 23437 of 2018(O&M)

Date of Decision: June 01 , 2018.

Ravi PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Robin Singh Hooda, Advocate
for the petitioner.

Mr. Anmol Malik, 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.254 dated 21.06.2017 under Sections 366/376 IPC, registered at Police Station Civil Line, Sonapat.

It is submitted that the petitioner has been falsely implicated in this case. Relationship, if any, between the petitioner and the prosecutrix was entirely consensual. Even if the prosecution version is accepted, the prosecutrix has admitted that she was in relationship with the petitioner for two years prior to the

lodging of the FIR in question. There is no element of force or any false assurance on the part of the petitioner. Moreover, the prosecutrix in this case has since testified before the learned trial court. The petitioner, who is 23 years old, is in custody since 21.06.2017 and is not involved in any other criminal case. 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 submits that the prosecutrix has duly supported the prosecution version while testifying before the learned trial court. However, it is not denied that the prosecutrix and the petitioner were known to each other for two years prior to the lodging of the abovementioned FIR. It is confirmed that the prosecutrix has testified before the learned trial court. On instructions from HC Balbeer Singh, it is verified that the petitioner, who has been in custody since June 2017, 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 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 made clear that the petitioner shall not directly or indirectly try to contact the complainant-prosecutrix/any of her family members or witnesses in this case. Any such infraction on the part of the petitioner may entail cancellation

of his bail.

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.

June 01 , 2018.
'om'

(LISA GILL)
JUDGE

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