

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

**Criminal Misc. No.M- 39122 of 2017(O&M)**

**Date of Decision: January 25 , 2018.**

Sahil ..... PETITIONER (s)

**Versus**

State of Haryana ..... RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. Adiya Yadav, Advocate  
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

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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?

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**LISA GILL, J.**

On oral request of learned counsel for the petitioner Section 307 IPC is added in the Head Note and prayer clause of this petition. Necessary correction be carried out by the Registry.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.0229 dated 01.10.2017 under Sections 323/452/506/341/34/354A(1)(i)/307 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Linepar, Bahadurgarh.

It is submitted that the petitioner has been falsely implicated in this

case as he is a friend of the co-accused Rohit. Offence punishable under Section 307 IPC has been added at a much belated stage on 13.12.2017 in a malafide manner, after the petitioner had been granted interim bail by this Court on 13.10.2017. It is further submitted that all the other co-accused except Rohit are on bail. It is submitted that the petitioner, who is not involved in any other criminal case, has joined investigation. The petitioner undertakes to face the proceedings and not misuse the concession of anticipatory bail, if afforded to him. Therefore, it is prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Narender, is unable to deny that Section 307 IPC has been added on 13.12.2017 after the interim relief was afforded to the petitioner in this petition. The injured Manoj was discharged from the hospital on 05.10.2017. Recovery of the stick (danda) has been effected from the petitioner. The petitioner, it is verified, is not involved in any other criminal 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 as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 13.10.2017 is made absolute.

It is made clear that the petitioner shall not directly or indirectly try to contact the complainant or victim or 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.

January 25 , 2018.  
'om'

( LISA GILL )  
JUDGE

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