

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

Criminal Misc. No.M- 47530 of 2017(O&M)

Date of Decision: March 16 , 2018.

Deepak Arora

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Manoj Kaushik, 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.219 dated 06.07.2017 under Section 6 of the Protection of Children from Sexual Offences Act, 2012, registered at Police Station Women, Sector 51 Gurgaon, District Gurugram.

It is submitted that the petitioner has been falsely implicated in this case. Moreover, the complainant (PW1) as well as the alleged victim (PW2) have not supported the prosecution case. Both the said witnesses have been declared hostile. The petitioner, it is submitted, is not involved in any other criminal case

and he undertakes not to misuse the concession of bail, if afforded to him. It is thus prayed that this petition be allowed.

Photocopies of the statements of the complainant as well as the victim recorded on 15.03.2018, produced in Court today, are taken on record subject to just exceptions.

Learned counsel for the State, on instructions from ASI Sarla, verifies that the complainant as well as the victim in this case have not supported the prosecution case. The petitioner is not reported to be involved in any other criminal case. No useful purpose would be served by keeping the petitioner incarcerated any longer in the present 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.

March 16 , 2018.
'om'

(**LISA GILL**)
JUDGE

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