

Criminal Misc. No. M- 7177 of 2018 (O&M)

Date of decision : May 04, 2018

Iqbal

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Ms. Sunita Gupta, Advocate for
Mr. Mohd. Arshad, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. Bhriagu Agnihotri, Advocate
for the complainant.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 264 dated 03.07.2017 under Sections 506, 34 IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 registered at Police Station Ferozepur Jhirka, District Nuh.

It is submitted that the petitioner has been falsely implicated in this case. He was found innocent during investigation. He has been summoned by the learned trial Court vide order dated 25.01.2018 (Annexure P-3) to face trial as an additional accused on an application under Section 319 Cr.P.C. It is further submitted that allegations against the petitioner, in any case, do not attract the rigours of Section 376 IPC. The petitioner has appeared before the learned trial court pursuant to interim order dated 20.02.2018 passed by this Court. He undertakes to face the proceedings, appear on each and every date fixed before the learned trial Court and not abuse the concession of interim bail, if confirmed. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Ravinder Kumar as well as learned counsel for the complainant affirm that the petitioner has appeared before the learned trial Court on 23.02.2018. The petitioner is not reported to be 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 in the Court, if released on bail.

Keeping in view the peculiar 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, interim bail afforded to the petitioner by the learned trial Court pursuant to order dated 20.02.2018 be made absolute subject to his furnishing fresh bail bonds and surety to the satisfaction of the learned trial Court.

May 04, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No