

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

Criminal Misc. No.M- 7740 of 2018(O&M)

Date of Decision: February 28 , 2018.

Sandeep Solanki

..... PETITIONER (s)

Versus

State of Haryana

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Umesh Kumar Kanwar, Advocate and
Mr. B.S.Chauhan, 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.637 dated 11.10.2017 under Sections 323/376/452/506 IPC, registered at Police Station Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner argues that the petitioner, who is only 19 years old, has been falsely implicated in this case. The relationship, if any between the petitioner and the complainant, who is a mature lady of 30 years having a child, is purely consensual. Reference is made to certain messages

exchanged between the petitioner and the complainant as well as the photographs (Annexure P5) to substantiate the said argument. The petitioner, it is submitted, is not involved in any other criminal case. Challan/final report under Section 173 Cr.P.C. in this case has been presented. 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, on instructions from HC Yudhvir, verifies that the petitioner is not reported to be involved in any other criminal case. Final report under Section 173 Cr.P.C. has since been presented. It is not denied that photographs attached as Annexure P5 with this petition are those of the petitioner and the complainant, though it is submitted that the genuineness of the same would be tested during trial.

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.

February 28 , 2018.
'om'

(LISA GILL)
JUDGE

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