

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

CRM-M No.24244 of 2019
Date of decision: 31st May, 2019

Karan Khanna @ Jatin Khanna

... Petitioner

Versus

State of UT Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Vishal Garg Narwana, Advocate for the petitioner.

Ms. Ashima Mor, Addl. PP for UT Chandigarh
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Karan Khanna alias Jatin Khanna in this first regular bail application filed under Section 439 Cr.P.C. in case bearing FIR No.0044 dated 03.04.2019 pertaining to Police Station Sector 19, Chandigarh under Sections 354, 354A, 354D IPC have been levelled by a girl aged around 18 years, a student of local college of Chandigarh. In her allegations, the complainant claims that in the month of June 2018 she met the accused present petitioner Karan Khanna alias Jatin Khanna and after they became friends and used to meet each other, in the month of October/November 2018 accused petitioner Karan Khanna has offered the complainant to develop physical relations to which the girl declined and subsequently on 01.04.2019 petitioner Karan Khanna along with his co-accused non-applicant Aakash Kapur had taken the complainant to a public place where both of them asked for sexual favour to which the complainant declined but it is

alleged that both the accused touched her inappropriately, leading to registration of the present case and arrest of the petitioner on 06.04.2019.

Learned counsel for the petitioner Mr. Vishal Garg Narwana, Advocate inter alia contends that the complainant is a grown up girl, a major, and false insinuations have come about for a motivated cause and that similarly placed co-accused Aakash Kapur has been allowed anticipatory bail by this Court vide orders dated 29.05.2019, arguing further that the petitioner is behind bars and trial is not likely to conclude in the near future and thus, prayed for grant of the relief.

Learned State counsel Ms. Ashima Mor, Addl. Public Prosecutor UT Chandigarh on instructions from ASI Suresh Kumar, Police Station Sector 19, Chandigarh though does not displace the facts that have been canvassed before this Court by learned counsel for the petitioner but has stoutly opposed the grant of bail on the grounds of heinousness of the offence and seriousness of allegations.

Appreciating the submissions of the two sides, petitioner is behind bars. In the light of allegations levelled and the fact that the complainant happens to be a major and in view of the offences for which the petitioner has been hauled up together with the fact that similarly placed co-accused Aakash Kapur has already been allowed anticipatory bail and that trial is not likely to accomplish in the near future, this Court is of the opinion that no useful purpose will be served by keeping the petitioner behind bars in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial

Magistrate/Duty Magistrate, Chandigarh. However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 31, 2019
rps

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