

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.15441 of 2021 (O&M)

Date of Decision:13.07.2021

(Heard through VC)

Prince @ Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Harsh Mehla, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

CRM No.16554 of 2021

Keeping the order passed in the main petition itself of even date, the instant application has been rendered infructuous and the same is disposed of accordingly.

CRM-M No.15441 of 2021

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.5 dated 06.01.2021 registered under Sections 363, 366-A IPC (charges framed under Sections 363, 366 IPC only) at Police Station Bilaspur, Yamuna Nagar.

Learned counsel for the petitioner herein would contend that the petitioner has been falsely implicated under the said FIR. As per the statement of the prosecutrix under Section 164 Cr.P.C., she categorically stated that she had accompanied the petitioner of her own free will, while contending that no wrong act had been done to her. He would further

contend that the petitioner has been charged only under Section 363 and 366 IPC. It is argued that the matter has been investigated and the challan stands presented and therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State opposes grant of bail to the petitioner by contending that the allegations levelled against him are serious in nature, however, he does not dispute the fact that the investigation has been completed and the challan stands presented.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation has been completed and the challan stands presented and the fact that the trial is likely to take some time to conclude owing to present COVID-19 pandemic situation, no useful purpose would be served in keeping the petitioner behind bars. Moreover, the prosecutrix is in custody of her parents and therefore, likelihood of the petitioner influencing the prosecutrix is remote. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

July 13, 2021
Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No