

CRM-M-53270-2021

Date of Decision: 23.12.2021

RAJESH

... PETITIONER

VS.

STATE OF HARYANA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Partap Singh, Advocate, for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana

VIVEK PURI, J.(ORAL)

By this petition, the petitioner is seeking regular bail in case bearing FIR No.183 dated 22.10.2021 under Sections 354, 354-D, 506, 509 IPC (Sections 306 and 511 IPC were added later on) registered at Women Police Station, Karnal, District Karnal.

Briefly, the allegations are to the effect that the petitioner in a deceitful manner had clicked the photographs of the daughter of the complainant and uploaded in social media through his face-book account with wrong comments with an intention to defame her in the society. The daughter of the complainant is stated to be aged about 20 years and the petitioner had been following her on earlier occasions also. The daughter of the complainant was mentally disturbed on seeing the uploaded photographs and made an attempt to commit suicide by consuming some insecticides.

Learned counsel for the petitioner contends that there is a delay of 06 days in lodging the FIR, the petitioner is working as a truck driver having two children, there is monetary dispute between the petitioner and the complainant, the petitioner is in custody since 10.11.2021 and he is having no criminal antecedents. Furthermore, the custodial interrogation of the petitioner is over and he has been remanded to judicial custody.

Custody certificate of the petitioner has been placed on record.

Learned State counsel, on instructions from HC Savita, has pointed out that the custodial interrogation of the petitioner is over and he has been remanded to judicial custody. He further stated that the investigation of the case is still pending and presentation of challan is likely to take some more time.

Keeping in view the fact that there is a delay of 06 days in lodging the FIR, the petitioner is working as a truck driver having two children, there is monetary dispute between the petitioner and the complainant, the petitioner is in custody since 10.11.2021, he is having no criminal antecedents, custodial interrogation of the petitioner is over, he has been remanded to judicial custody and presentation of challan is likely to take some more time, no fruitful purpose would be served by detaining the petitioner behind the bars.

In these set of circumstances, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate/Trial Court concerned.

23.12.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No