

CRM-M-22387-2022

Date of decision: 26.05.2022

SHAILENDRA CHAUDHARI

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vaibhav Parashar, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated today and the same is taken on record.

Shailendra Chaudhari-petitioner is seeking regular bail in the case bearing FIR No.113 dated 11.04.2022 under Sections 354-A/354-B IPC, registered at Police Station Sahnewal, Ludhiana.

Briefly, the allegations are to the effect that the complainant is wife of the brother-in-law of the petitioner. The marriage of the complainant was solemnized on 27.02.2022 with Sonu Jha. On account of some health issues, they have started residing in the rental accommodation of petitioner at Ludhiana. The petitioner by chanting some Tantra Mantras has made the husband of the complainant to sleep and thereafter, tried to commit sexual assault and disrobed her.

Learned counsel for the petitioner contends that there was dispute on account of rent and consequently, false allegations have been levelled. The allegations as put forth in the FIR sound to be improbable. The petitioner is in custody for a period of 01 month and 13 days and he has been remanded to

judicial custody.

Learned State counsel has opposed the bail application on the score that there are serious allegations levelled against the petitioner and the matter is still at the stage of investigation.

The petitioner is in custody for a period of 01 month and 13 days, his custodial interrogation is over and has been remanded to judicial custody. The offences are triable by the Judicial Magistrate 1st Class, the petitioner is not involved in any other case and the genuineness of the rival allegations is to be adjudicated during the course of trial. The presentation of challan and conclusion of trial is likely to take sometime, no fruitful purpose will be served by detaining the petitioner in further custody and sufficient mitigating circumstances are made out to extend the concession of the bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

26.05.2022
renubala

(VIVEK PURI)
JUDGE

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