

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

CRM-M-33795-2022 (O&M)

Date of Decision: 05.08.2022

SAHIL

...Petitioner

V/S

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Deepak R. Dahiya, Advocate
for Mr. Rahul Dahiya, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, DAG Haryana.

VIVEK PURI J. (Oral)

The petitioner is seeking regular bail in the case bearing FIR No. 167 dated 09.03.2022, under Sections 341, 354-A, 354-D IPC, registered at Police Station Kundli, District Sonapat (Annexure P-1).

Custody certificate filed and the same is taken on record.

Briefly, the FIR has been registered on the basis of the statement of the complainant alleging therein that her daughter is aged about 17 years and 6 months. On 07.03.2022, she along with her friend, who is aged about 17 years and 10 months, were coming back from School on a Scooty. Three persons in a car followed him. The persons sitting on the conductor side asked them for phone numbers and address. They also misbehaved with them.

Learned counsel for the petitioner contends that no one has been named in the FIR. The petitioner is in custody for a period of 4 months and 15 days. The investigation of the case is complete and the challan has been presented in the Court. The allegations pertain to stalking and the offence under Section 354-D IPC, which is bailable. It is been further argued that the petitioner was driving the vehicle and the allegations with regard to the person who was asking for phone number and address of the victim, have been attributed to the person,

who was sitting on the adjoining seat of the driver. The said person was declared juvenile and is on bail.

Learned State Counsel on the other hand, opposed the bail application on the score that statement of the victim is yet to be recorded in the trial Court.

Be that as it may, the petitioner is in custody for a period of 4 months and 15 days and not involved in any other case. The investigation of the case is complete and the challan has been presented in the Court and conclusion of the trial is likely to take some time. Therefore, no fruitful purpose would be served by keeping the petitioner in further incarceration.

As such, sufficient mitigating circumstances are made out to grant the petitioner, concession of bail. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

05.08.2022
Ajay Goswami

(VIVEK PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No