

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

**CRM-M No. 41088 of 2021
Date of decision: 16.03.2022**

CHARANDEEP SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 95 dated 26.08.2020, under Sections 376, 506 of the IPC and Sections 66(E), 67, 67(A) of the Information Technology Act, 2000, registered at Police Station Patara, District Jalandhar Rural.

Learned counsel for the petitioner herein would contend that initially, the petition for regular bail had been filed in CRM-M- No.40557 of 2020, which was dismissed as withdrawn on 18.05.2021, in view of the fact that the statement of the complainant had not been recorded.

It is further submitted that now the statement of the prosecutrix has been recorded and the allegations against the petitioner are that the petitioner had taken her photographs which he had morphed and on the basis of the said photographs, he pressurised her into developing physical relationship with him with a threat that in case she did not develop the said relationship, her daughter would be kidnapped and he would send the photographs to her husband. It is submitted that during the course of investigation no such

photographs have been produced before the Investigating Officer. Apart from that, counsel for the petitioner would submit that the statement of the material witness has been recorded and petitioner is not in a position to influence her testimony in any manner whatsoever. It is also submitted that the petitioner is in custody since August, 2020 and the trial is likely to take some time to conclude as out of twenty witnesses cited, only three witnesses stand examined.

Per contra, learned State counsel would oppose grant of bail to the petitioner by contending that the allegations levelled against the petitioner are serious in nature but is not in a position to dispute the fact that the investigation stands completed and challan has been presented.

I have heard counsel for the parties and have also perused case file.

Keeping in view the fact that the matter has been investigated and the statement of the material witnesses has been recorded and the fact that the trial is likely to take time to conclude, no useful purpose would be served in keeping the petitioner behind bars any longer. Without commenting the merits of the case, the instant petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

Anything observed hereinbefore shall not be construed as an observation on merits of the case.

16.03.2022

Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :

Yes No

Whether Reportable :

Yes No