

CRM-M-51503-2021
Date of decision: 24.02.2022

HARDAAN SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Harchand Singh Baath, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Abhishek Kaushik, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

Hardaan Singh-petitioner is seeking regular bail in the case bearing FIR No. 286 dated 05.10.2021 under Sections 354-C/506/201 IPC, 1860 and Section 67A of Information and Technology Act, 2008, registered at Police Station Jandiala, District Amritsar Rural.

Briefly, the allegations against the petitioner are to the effect that he had been sending the obscene messages on Whats App on the mobile phone of the father of the victim.

Learned counsel for the petitioner contends that the arrest of the petitioner was effected on 20.10.2021, is not involved in any other case, the investigation of the case is complete and challan has already been presented in the Court. Furthermore, all the offences except the offence under Section 67A of Information and Technology Act are bailable. He further states that the victim had attained the age of majority and was in relationship with the petitioner.

The bail application has been opposed mainly on the score that serious

petitioner and the same pertain to the daughter of the complainant.

It has not been disputed that the victim had attained the age of majority and was in relationship with the petitioner. The petitioner is in custody for a period of more than 04 months, is not involved in any other case, the investigation of the case is complete, challan has already been presented and the conclusion of the trial is likely to take sometime. Furthermore, all the offences except the offence under Section 67A of Information and Technology are bailable. As such, sufficient mitigating circumstances are made out to extend the concession of 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.

24.02.2022
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(VIVEK PURI)
JUDGE

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