

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-53569-2021

Date of Decision : January 05, 2022

Subham @ Lali

.. Petitioner

Versus

State of Haryana

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jainainder Saini, Advocate, for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.288 dated 24.07.2021 registered under Section 67-A of the Information Technology Act, 2000 at Police Station Agroha, District Hisar.

Learned counsel for the petitioner argues that the allegations alleged against the petitioner though have been made by his own mother but the same are totally false and incorrect. Learned counsel for the petitioner submits that even during the investigation, nothing objectionable was found

from the phone, which was recovered from the petitioner. Learned counsel for the petitioner further submits that as the challan has already been presented and the trial is likely to take some time before it concludes, the petitioner may kindly be granted the concession of regular bail as the petitioner undertakes before this Court not to influence the trial or the witnesses in any manner.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State, on the instructions from Inspector Manoj Kumar, submits that though, the challan has already been presented but nothing was recovered from the phone of the petitioner as the contents of the same were deleted by him and to verify the contents of the said phone, same has already been sent to the Forensic Science Laboratory, report of which is still awaited. Learned counsel for the respondent-State further submits that the complainant had submitted the video clip with the investigating agency, which has been made part of the challan.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

The allegations alleged against the petitioner in the complaint are yet to be proved on the basis of the evidence which will be led during the trial. As the trial is likely to take some time before it concludes and the petitioner has undertaken before this Court not to influence the trial or the

witnesses in any manner, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

Learned counsel for the petitioner undertakes that petitioner will not influence trial in any manner including influencing the witnesses and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

January 05, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? : Yes
Whether reportable? : Yes