

CRM-M-4428-2023

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

(226)

CRM-M-4428-2023

Date of Decision:-18.04.2023

Mukesh

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Jitender K. Sehrawat, Advocate for the petitioner.

Mr. S.S. Pannu, DAG, Haryana.

ALOK JAIN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.627 dated 03.11.2022, under Sections 363 and 366-A of Indian Penal Code, registered at Police Station Adampur, District Hisar, Haryana.

Learned counsel for the petitioner submits that as per the counseling report, the daughter of the complainant went with the petitioner on her own will for travelling/roaming with her friend and nothing more than that. In fact, in the statement under Section 164 Cr.P.C. also, the daughter of the complainant maintained the same version. Learned counsel for the petitioner also submits that the daughter of the complainant has refused to get her medical examination done and the young boy of 22 years is in custody since, 16.12.2022.

Learned State counsel submits that the challan has been presented.

However, after hearing learned counsel for the parties and the fact that the trial is likely to take some time, no useful purpose would be served by keeping the petitioner in custody, therefore the petitioner has made out a case for grant of concession of regular bail.

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In view of the above, without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. He shall, however, be released on the following conditions:

- 1. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- 2. He will not switch off his mobile and in case of any technical glitch, he has to give an alternate number, which will be available in his absence.
- 3. He will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- 4. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.

However, nothing stated above shall be construed as a final expression or opinion on the merits of the case.

(ALOK JAIN)
JUDGE

April 18, 2023
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No