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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-13831-2023(O & M)
Date of Decision:-04.05.2023

Kewal Krishan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.Bhanu Partap Singh, Advocate
for the petitioner

Mr.Arun Gupta, AAG Punjab

ALOK JAIN, J. (Oral)

1. Prayer is for grant of regular bail to the petitioner in case FIR No.97 dated 12.11.2022, under Sections 366 and 363 IPC, registered at Police Station Verka, District Amritsar.
2. Learned counsel for the petitioner submits that the victim/prosecutrix herself stated in her statement recorded under Section 164 Cr.P.C. that she herself had left the company of her parents and had gone with the petitioner herself to Himachal Pradesh and while coming back, they were apprehended by the police authorities. He further submits that the victim/prosecutrix refused to get herself medically examined and the petitioner is in custody since 15.11.2022 i.e. more than 5 months.
3. Custody certificate dated 02.05.2023 filed by the learned State counsel is taken on record.
4. Learned State counsel does not dispute the aforesaid facts.
5. After hearing learned counsel for the parties and considering the aforesaid facts, coupled with the fact that the petitioner is in custody

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since 15.11.2022 and the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

6. 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:

- I. The petitioner shall declare his ordinary place of residence and the mobile number used by him.
- II. 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.
- III. 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.
- IV. He will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also.

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

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

(ALOK JAIN)
JUDGE

04.05.2023
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Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No