

2023:PHHC:063457

CRM-M-21213-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
223

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Date of Decision:-03.05.2023

Manish

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Pooja Jaglan, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

ALOK JAIN, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case FIR No. 44 dated 14.04.2022 under Sections 363 and 366 of the Indian Penal Code (Section 6 of POCSO Act added later on), registered at Police Station Bapoli, District Panipat.

2. Learned counsel for the petitioner submits that the petitioner has in fact, married the victim, as they were in a consensual relationship and the testimony of all the material witnesses have also completed. She further submits that, in fact, the complainant herself in her cross-examination has admitted that the victim wants to live with the petitioner and hence, the petitioner be granted the concession of regular bail.

3. Learned State counsel has opposed the bail on the ground that the allegations leveled against the petitioner are grave and serious, however he could not deny the fact that all the material witnesses have been examined

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and the trial is likely to take some time.

4. After hearing learned counsel for the parties and the fact that the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

5. Without commenting upon the merits, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/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.

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

(ALOK JAIN)
JUDGE

03.05.2023
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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No