

CRM-M-21565-2023

1

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

222

CRM-M-21565-2023
Date of Decision:-04.05.2023

Balwinder Singh @ Bahadari

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.Pankaj Garg, Advocate
for the petitioner

Mr.Arun Gupta, AAG Punjab,
assisted by Sh.Sukhdev Singh, ASI

ALOK JAIN, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case FIR No.164 dated 15.12.2022, under Sections 363,366 and 366-A IPC (added later on), registered at Police Station Boha, District Mansa.

Learned counsel for the petitioner submits that the prosecutrix/victim herself went and rather, forced the petitioner to run away from home and the said fact is corroborated by the statement of the victim recorded under Section 164 Cr.P.C. Learned counsel for the petitioner further submits that the petitioner is in custody since 28.12.2022.

Custody certificate dated 02.05.2023 filed by the learned State counsel is taken on record.

Learned State counsel does not dispute the aforesaid facts and submits that the prosecutrix has refused to get herself medically examined.

After hearing learned counsel for the parties and the fact that

CRM-M-21565-2023

2

the petitioner is a young boy of 23 years old and is in custody since 28.12.2022 and the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

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 of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

04.05.2023
neenu

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