

CRM-M-23375-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(207)

CRM-M-23375-2022

Date of Decision:-24.02.2023.

Suraj Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

ALOK JAIN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.0104 dated 09.04.2022, under Sections 7 and 8 of the Protection of Children from Sexual Offences Act (Amended), 2012, 2019, registered at Police Station City Kharar, District SAS Nagar.

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

Learned counsel for the petitioner submits that the petitioner is a young boy of 21 years with a bright future.

Learned State Counsel, on instruction from ASI Prem Chand, has submitted that material witnesses have been examined especially the complainant and the alleged victims. He submits that the alleged victims have turned hostile.

Heard learned counsel for the parties.

Without going into the merits of the case and without expressing any opinion on the same, as the petitioner is in custody since

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13.04.2022, coupled with the fact that the material witnesses have been examined and the trial is likely to take some time and, thus, no useful purpose would be served by keeping the petitioner in custody, the petitioner has made out a case for grant of concession of regular bail.

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 of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

February 24, 2023.

Parul

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