

CRM-M-25640-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
238

CRM-M-25640-2023
Date of Decision:-25.05.2023

Aman

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Nevadita Malik Sharma, 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. 352 dated 16.12.2022 under Sections 204, 365, 379-B, 366, 506, 120-B and 34 of the Indian Penal Code and Section 25 of the Arms Act registered at Police Station Civil Lines, District Rohtak.

2. Learned counsel for the petitioner submits that the petitioner was neither named in the FIR nor had anything to do with the alleged offence, in fact, his friend was in a relationship with the prosecutrix and they both had enticed away. He further submits that the FIR does not demonstrate any role played by the petitioner in the entire occurrence.

3. Learned State counsel submits that the petitioner was along with the main accused Anshul and Mohit, who allegedly kidnapped the victim-girl, however, could not deny the fact that the FIR is silent and does not name the petitioner.

CRM-M-25640-2023

4. The only allegation against the petitioner is that the girl was recovered from the Car of the petitioner; however, there is no allegation of any wrong doing by the petitioner, as she was in a relationship with the main accused-Anshul and the accused-Anshul is already in custody.

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

25.05.2023
parul

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