

CRM-M-29779-2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

104+207

CRM-M-29779-2023 (O&M)
Date of Decision:-12.12.2023

Rampal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. DPS Joura, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed for grant of regular bail to the petitioner in case FIR No. 156 dated 07.12.2020 under Sections 376 (2) (f) and 506 of the Indian Penal Code, 1860, registered at Police Station Woman Sirsa, District Sirsa.
2. Learned State counsel has filed the custody certificate of the petitioner as well as the reply by way of affidavit of Ms. Deepti Garg, IPS, Assistant Superintendent of Police Sirsa, District Sirsa on behalf of respondent-State in Court today, which are taken on record, subject to all just exceptions.
3. Learned counsel for the petitioner submits that all the material witnesses have been examined and the petitioner is in custody for the last more than 01 year and 06 months.

CRM-M-29779-2023 (O&M)

4. The perusal of the custody certificate demonstrates that the petitioner is in custody for 01 year, 05 months and 26 days and as per the reply of ASP Sirsa, there is some cogent evidence against the petitioner including the FSL report with regard to the commission of offence.

5. Learned State counsel has fairly submitted that out of 23 witnesses only 04 material witnesses have been examined.

6. After hearing learned counsel for the parties and considering the length of custody of the petitioner and the stage of trial and the fact that the trial is likely to take some time, no useful purpose would be served by keeping the petitioner in custody and hence, the petitioner is granted the concession of regular bail, at this stage, however, subject to some “**heavy surety**”.

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

8. It shall also be open to the complainant as well as the

CRM-M-29779-2023 (O&M)

authorities to move an appropriate application for cancellation of bail, in case, the petitioner is found in violation of any of the conditions imposed upon him.

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

10. Pending miscellaneous application(s), if any, also stands disposed of.

12.12.2023
parul

(ALOK JAIN)
JUDGE

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