

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 214

Criminal Miscellaneous No.M-37963 of 2022

Date of Decision: February 23, 2023

Satya Narayan alias Satya Narayan Chadha

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

. . .

PRESENT: - Mr. Munish Thakur, Advocate for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

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Tribhuvan Dahiya, J (Oral)

This is a petition for grant of regular bail to the petitioner in case FIR No.70 dated 20.04.2022, under Sections 376 and 506 of IPC, registered at Police Station Beas, District Amritsar (Rural).

2. Learned counsel for the petitioner contends that as per allegations in the FIR, the petitioner and the complainant, who is a married lady aged about 33 years went together to Dera Beas and stayed there in a hotel from 20 to 24 March, 2022. There the petitioner had forcible physical relations with the complainant. The petitioner came to Ajmer, and called her to a hotel to stay with his friends, only then he would delete her objectionable photographs. She refused and informed all this to her husband on 09.04.2022, whereupon the instant FIR was lodged. It is further submitted that the petitioner is in custody since 18.05.2022. The prosecutrix as well as her husband have already been examined, their testimonies are on record as Annexures P-14 & P-15. Even the FSL report has not supported the

prosecution case.

3. Learned State counsel, on instructions from ASI Kashmir Singh, opposes the grant of bail on the ground that trial is going on and the remaining witnesses will soon be examined. As per him, eleven prosecution witnesses remain to be examined. The petitioner has no other case pending. Besides, the facts stated in the submissions of learned counsel for the petitioner are not disputed by him.

4. In view of the facts enumerated above, it is apparent that conclusion of the trial will take some time, and the material witnesses, prosecutrix as well as her husband, already stand examined. The petitioner has no criminal antecedents. No useful purpose will, therefore, be served by confining him to custody any longer.

5. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on furnishing of requisite bonds/sureties to the satisfaction of trial Court/Duty Magistrate concerned.

(Tribhuvan Dahiya)
Judge

February 23, 2023
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>