

CRM-M-39756-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CRM-M-39756-2022

Date of Decision:-09.05.2023

NARENDER ALIAS MONU

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr.R.K.Choudhary, Advocate
for the petitioner

Mr.Brijesh Sharma, AAG Haryana

ALOK JAIN, J. (Oral)

1. Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.28 dated 04.04.2022, under Sections 376-D, 377 and 506 of IPC (Sections 376-D and 377 IPC deleted and Section 376(2)(n) IPC added later on), registered at Police Station Women, Kaithal.

2. In compliance of the order dated 29.03.2023, status report by way of affidavit of Sh.Vivek Chaudhary, HPS, Deputy Superintendent of Police, Kaithal, dated 21.04.2023, on behalf of the respondent State, has been filed, which is taken on record.

3. As per the status report, the complainant has apparently resiled from the testimony and has turned hostile.

4. In view of the facts and circumstances of the case and the fact that the petitioner is in custody since 13.04.2022 and the trial is likely to take long time, no useful purpose would be served by keeping the

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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 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.
6. The petitioner shall abide by the terms and conditions as imposed in addition to Section 439 of Cr.P.C.
7. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case.

(ALOK JAIN)
JUDGE

09.05.2023
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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No