

CRM-M-44188-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(210)

CRM-M-44188-2022
Date of Decision:-24.02.2023.

Parmod Kumar LalPetitioner
Versus
State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Abhinav Bali, Advocate for
Mr. Prashant Sethi, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Ms. Kriti Lohar, Advocate for
Mr. Vipul Sherwal, Advocate for the complainant.

ALOK JAIN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.161 dated 11.07.2022, under Sections 313, 323, 376(2)(n) and 506 of Indian Penal Code, registered at Women Police Station NIT, Faridabad, District Faridabad.

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

Learned counsel for the petitioner has submitted that the petitioner is in custody for the last 07 months and 05 days, as per the custody certificate submitted by the learned State counsel.

Learned State Counsel has submitted that 02 out of 10 witnesses have been examined and the matter is fixed for 23.03.2023. He further submits that the complainant has been examined, who has supported the case of the prosecution.

Nonetheless, without commenting on the merits of the case

CRM-M-44188-2022

and keeping in view the fact that the petitioner is 58 years old man and his relationship apparently seems to be consensual at some point of time and also the fact that the petitioner is in custody since **19.07.2022** and the trial is likely to take long time, no useful purpose would be served by keeping the petitioner in custody.

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