

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

224

CRM-M-51239-2022

Date of Decision:-29.03.2023

Seeta

.....Petitioner

Versus

State of Punjab.

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Manjeet Kaur Brar, Advocate for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

ALOK JAIN, J. (Oral)

Prayer is for grant of regular bail to the petitioner in case FIR No.0139 dated 09.10.2022 under Sections 354,354-A IPC and Section 8 of the Protection of Children from Sexual Offence Act, 2012 of IPC, registered at Police Station Dayalpura, District Bathinda.

Learned counsel for the petitioner submits that, in fact, the parties have entered into compromise and vide order dated 16.03.2023 in CRM-M-13406-2023, the parties have been directed to get their statements recorded on 10.04.2023 before the Illaqa/Duty Magistrate.

Learned counsel for the petitioner without going into the merits of the case, at this stage, prays for grant of regular bail to the petitioner to enable him to get his statement recorded.

Heard the learned counsel for the petitioner.

The petitioner has been in custody since **18.10.2022**. Trial is likely to take long time. Therefore, 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. In light of the opposition made by counsel for the respondent, he shall, however, be released on the following stringent 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.

In case, it is found that the petitioner has violated any of the terms or has tried to threaten the complainant or any of her family members directly or indirectly, the complainant and/or State is at liberty to file an application for cancellation of bail.

29.03.2023

manju

(ALOK JAIN)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No