

CRM-13575-2023 in/and
CRM-M-57638-2022

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

(108+224)

CRM-13575-2023 in/and
CRM-M-57638-2022
Date of Decision:-23.03.2023.

Karan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Harsh Bhargava, Advocate for the petitioner.

Mr. S.S. Pannu, DAG, Punjab.

ALOK JAIN, J. (Oral)

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Application for placing on record the statement of the complainant before the Special Judge-cum-Addl. Sessions Judge, Rohtak as Annexure P-7 is allowed as prayed for, subject to just exceptions.

Annexure P-7 is taken on record.

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The present petition is for grant of regular bail to the petitioner in case FIR No.129 dated 06.06.2021 under Sections 376 and 377 of IPC, registered at Police Station Lakhan Majra, Rohtak, Haryana.

Learned counsel for the petitioner relies upon the cross-examination of the prosecutrix to submit that, in fact, the petitioner and the

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prosecutrix were in relationship and the only reason for lodging of this FIR was that the petitioner had shown his inclination to marry some other girl. She further goes to say that annoyance of the complainant was natural because of their relationship.

Learned State counsel vehemently opposes the bail on the ground that despite the fact the prosecutrix got married to somebody else, she has shown bravery in coming forward and still supporting the prosecution.

Heard the learned counsel for the parties.

In light of the fact that 07 out of 14 witnesses have been examined and the testimony of the prosecutrix is also complete coupled with the fact that the petitioner is a young boy of 21 years and is in custody for the last more than 1 ½ years and trial is likely to take long time, he is entitled to the concession of regular bail.

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.

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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

March 23, 2023.

Sandeep

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