

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

(218)

CRM-M-58392-2022.
Date of Decision:-22.02.2023.

Ravinder

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Sanjay Verma, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

ALOK JAIN, J. (Oral)

The present petition is for grant of regular bail to the petitioner in case FIR No.119 dated 23.06.2022 under Sections 376 (2) (n) of IPC, registered at Police Station Sector 37, District Gurugram, Haryana.

In compliance of the order dated 05.01.2023, learned State counsel has filed a status report by way of affidavit of Sh. Suresh Kumar, HPS, Assistant Commissioner of Police, Manesar, Gurugram on behalf of the respondent-State along with the statement of the prosecutrix, medical examination and examination-in-chief of the prosecutrix. The same are taken on record.

Learned counsel for the petitioner has vehemently argued that the prosecutrix has not supported the case of the prosecution and she has specifically stated that the relationship between the parties was consensual.

Heard the learned counsel for the parties.

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The petitioner has been in custody since 04.07.2022. Trial is likely to take long time. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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 22, 2023.

Sandeep

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