



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-9844-2024 (O&M)
Date of decision: 22.05.2024

RAVI

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Abhinav Gupta, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

HARPREET KAUR JEEWAN, J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.698 dated 20.08.2023 (Annexure P-1) under Sections 354-D, 294, 509 IPC and Section 12 of the POCSO Act, 2012 (added later on) registered at Police Station City Hisar, District Hissar.
2. Mr. Abhinav Gupta, Advocate has put in appearance on behalf of the petitioner and filed his power of attorney, which is taken on record.
3. As per the prosecution case, the complainant and her daughter were receiving phone calls and messages with objectionable comments with different numbers on whatsapp. The name and the mobile phone number of the complainant was pasted in Gents Toilet near City Police Station. The petitioner is neighbour of the complainant, as such suspecting him the complainant confronted the



petitioner. Thereafter, the petitioner in front of his family members admitted his fault. However on 16.04.2023, the petitioner under the influence of liquor had misbehaved with the complainant and her daughter and despite making an apology day after he had been admittedly committing the said act.

4. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and he is in custody since 30.10.2023. He further contends that the petitioner is suffering from a serious medical condition and has been undergoing treatment from PGIMS, Rohtak and All India Institute of Medical Sciences, New Delhi. He has furnished copy of the medical record in the Court today, which is taken on record. He submits that investigation is complete and final report under Section 173 Cr.P.C has already been presented before the trial Court. He further submits that no recovery is to be effected from the petitioner. There are total 22 prosecution witnesses and the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

5. On the other hand, learned State counsel on instructions from SI Jai Singh has opposed the bail petition on the ground of the gravity of allegations against the petitioner. However, it has been confirmed that the petitioner is in custody since 30.10.2023. The State counsel has also informed that investigation is complete and final report under Section 173 Cr.P.C. has been presented before the trial Court. There are total 22 prosecution witnesses, which are yet to be recorded.

6. I have considered the aforesaid contentions. Investigation is complete and the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court. The petitioner is in custody since 30.10.2023.



There are total 22 prosecution witnesses and the trial will take some time to conclude. Keeping in view the medical condition of the petitioner and in view of the above, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

- 7. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
- 8. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

22.05.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No