

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

220

CRM-M-13189-2024 (O&M)
Date of decision: 19.03.2024

TEJASVI ALIAS TEJASVI RATHI

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Akashdeep Singh, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing FIR No.655 dated 03.09.2023 registered under Sections 376(2)(n), 354, 506, 323 IPC at Police Station City Rohtak, District Rohtak.
2. The petitioner is facing trial in the present case, which has been registered at the instance of the complainant on account of sexual harassment committed upon her by the petitioner.
3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and the petitioner is in custody since 18.09.2023. He further contends that in statement of the prosecutrix recorded under Section 164 Cr.P.C., she has alleged that the petitioner and the prosecutrix met through sister of the petitioner and they had been talking to each other.

Thereafter they developed relationship and they used to go together to different places out Rohtak. The petitioner has usurped 4.5 lakhs from her and on 02.09.2023, the petitioner had come to kill her and in order to safeguard herself, she called her ex-husband-Naresh. The prosecutrix is 35 years old woman and is divorced with her previous husband-Naresh. He submits that investigation is complete and challan has been presented on 26.10.2023. The petitioner is ready to face with the trial. He further submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

4. On the other hand, learned State counsel opposes the bail on the ground of gravity of allegations levelled against the petitioner, however he has informed that after the completion of the investigation, report under Section 173 Cr.P.C. has been presented before the trial Court and charges have been framed against the petitioner.

5. I have considered the aforesaid contentions. Prosecutrix is major and she has not alleged any sexual abuse against the petitioner in her statement recorded under Section 164 Cr.P.C. (Annexure P-2). No doubt the allegations in the FIR against the petitioner are serious in nature but the petitioner is in custody since 18.09.2023. Investigation is complete and the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court; the trial will take some time to conclude and there is no apprehension absconding of the petitioner.

6. Without commenting on the merits of the case and keeping in view the above facts, the present petition is allowed.

7. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds/surety to the satisfaction of the trial Court/CJM,

concerned.

8. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

19.03.2024
P.Bhatt

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