

CRM-M-30835-2024 (O&M)

201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:132992



CRM-M-30835-2024 (O&M)
DATE OF DECISION : 08.10.2024

KESHAV ... PETITIONER

V/S

STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Kunal Dawar, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, DAG Haryana.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No. 102 dated 11.03.2024 under Sections 323, 34, 342, 376, 376(2)(n), 506, 511 IPC, registered at Police Station Sector 56, Gurugram, Haryana.
2. Custody certificate dated 07.10.2024 reflecting the custody of the petitioner as 06 months and 03 days has been taken on record.
3. I have heard the counsel for the parties and perused the paper-book as well as the reply by way of affidavit of Kapil Ahlawat, HPS, Assistant Commissioner of Police, Sadar, Gurugram.
4. As per the allegations, the prosecutrix came in contact with Gaurav, co-accused of the petitioner. The allegations of sexual abuse are of

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dated 09.03.2024 and the second allegations are of dated 10.03.2024 in a hotel/club. The allegations against the petitioner are that he also entered the room of the prosecutrix and started touching her inappropriately. However, the prosecutrix pushed him away. She unlocked the room and went outside. The main allegations of sexual abuse as well as beating the prosecutrix are only against co-accused Gaurav.

5. The investigation of the case is complete, final report/challan under Section 173 Cr.P.C. has already been presented before the trial Court. There are 19 witnesses who are yet to be examined. There is no other history of any case against the petitioner. The conclusion of the trial is going to take time. Therefore, without expressing any opinion on the merits of the case, the present 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 concerned.

6. Pending miscellaneous application(s), if any, shall stand disposed of.

08.10.2024

Janki

(HARPREET KAUR JEEWAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No