



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

233

CRM-M-48204-2024 (O&M)  
Date of Decision: 05.12.2024

ISRAN

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Hamid Hussan, Advocate  
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

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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.94 dated 29.10.2023 (Annexure P-1) under Sections 323, 34, 354C, 376(2)(n), 506 of the IPC, registered at Women Police Station, District Panchkula.
2. Custody certificate dated 04.12.2024 filed on behalf of the respondent-State is taken on record. As per the custody certificate, the petitioner has undergone 08 months and 22 days of actual custody.
3. The allegations against the petitioner are that the petitioner had been in contact with the prosecutrix for last 2 years. The prosecutrix is a widow having 4 children. The petitioner used to pick and drop the children of the prosecutrix from the school. The petitioner promised to solemnize marriage



with the prosecutrix and on that pretext, he had made physical relations with her.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he is in custody since 13.03.2024. He further submits that earlier also complainant had made a complaint at police station Chandigarh, upon which the matter was investigated and now the similar set of allegations in the present FIR has been got registered at Police Station Panchkula.

5. Learned State counsel has opposed the petition on the ground of gravity of allegations against the petitioner. Learned State counsel has confirmed that the investigation is complete and final report under Section 173 Cr.P.C. has already been presented before the trial Court.

6. I have heard learned counsel for the parties and have also gone through the paper-book.

7. The investigation is already complete. The final report ('*challan*') under Section 173 Cr.P.C. has already been presented before the trial Court. The conclusion of the trial is going to take time. There is no apprehension of absconding of the petitioner during the trial. The petitioner is in custody for 08 months and 22 days. The prosecutrix is a major as per her statement under Section 164 Cr.P.C. There is no history of other case against the petitioner.

8. Keeping in view the above facts and circumstances of the present case, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to his furnishing adequate bonds and surety bonds to the satisfaction of the trial Court concerned.



9.           However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
10.          All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN )  
JUDGE

05.12.2024  
P.Bhatt

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |