



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

**CRM-M-32515-2024 (O&M)
Date of Decision:-07.04.2025**

Salim

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Suneel Sharma, Advocate for the petitioner.

Mr. P.S. Bhandari, AAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

CRM-14280-2025

Present application has been filed for placing on record certain documents.

Application is allowed as prayed for subject to all just exceptions.

The accompanying documents are taken on record as Annexures A-1 and A-2.

Main case

1. The present petition has been filed under Section 439 of Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.152 dated 15.11.2023 under Sections 376(N), 379-B, 323 and 506 of IPC (Sections



411 and 201 of IPC added later on), registered at Police Station Sadar Patiala, Punjab.

2. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been in custody for 1 year, 4 months and 19 days. He submitted that the prosecutrix has already been examined and another witness i.e., a doctor who had prepared the medical report indicating that no semen was detected, has also been examined. He further submitted that it is a case where the complainant-prosecutrix is a married woman and allegations against the petitioner relate to having a sexual relationship with her. Learned counsel also stated that in fact, there was a dispute between the petitioner and the prosecutrix, as she was demanding a house from the petitioner and the petitioner has been falsely implicated in this case. He also submitted that in any case, the material witnesses have been examined and considering the custody of the petitioner which is about 01 year, 04 months and 19 days, he may be considered for the grant of regular bail.

3. On the other hand, learned State counsel submitted that, insofar as the custody of the petitioner is concerned, the same is correct and as per the statement made by the doctor there was nothing in the medical report that could implicate the petitioner. He also submitted that the prosecutrix has already been examined and the petitioner is not involved in any other criminal case and has clean antecedents.

4. I have heard the learned counsels for the parties.

5. The custody of the petitioner is stated to be 1 year, 4 months, and 19 days. As per the allegations against the petitioner, the complainant is 27 years old and a mature lady and the allegations against the petitioner are



pertaining to having a sexual relationship with her. The petitioner is stated to be not involved in any other case and has clean antecedents. The prosecutrix and doctor have already been examined. Furthermore, it is neither the case of the learned State counsel nor it has been argued that if the petitioner is released on bail, he may abscond, flee from justice, influence witnesses, or tamper with evidence. Therefore, considering the aforesaid totality of the facts and circumstances, this Court deems it fit and proper to grant bail to the petitioner.

6. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

07.04.2025
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No