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CRM-M-38803-2024
Date of Decision: 25.03.2025

...Petitioner

...Respondents

Mr. Harender Singh Rana, Advocate
for respondents No.2 to 6.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
266	17.09.2023	Sadar Palwal, Tehsil and District Palwal	147, 149, 380, 427, 452, 454, 506 IPC

1. Aggrieved by grant of bail to the private respondents by Additional Sessions Judge, Palwal vide order dated 07.12.2023, the petitioner has come up before this Court under Section 439(2) CrPC for its cancellation.
2. Petitioner was unrepresented before this Court, as such this Court appointed legal aid counsel for assistance on behalf of the petitioner.
3. Counsel for the petitioner submits that while granting bail to respondent, the Court below has not considered all the aspects of the case. Moreover, the video of the incident was not considered and prayed for cancellation of bail. He further submits that if this Court is not inclined to allow the present petition, then at least some more stringent conditions be imposed to protect the petitioner-complainant.
4. Counsel for the accused submits that he has no objection to imposition of additional conditions.
5. I have heard counsel for the parties and have also gone through the record.



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6. The impugned order dated 07.12.2023 is well reasoned and bail has been granted after consideration of multiple factors. Reference has also been given to one civil suit which is pending between the parties.

7. Given above, the present petition is disposed of with the following condition.

“Given the nature of the allegations and the other circumstances peculiar to this case, the accused-respondent shall not enter the property, workplace, and residence of the victim until the statements of all non-official and informal witnesses in the trial are recorded. This Court is imposing this condition to rule out any attempt by the accused to incapacitate, influence, or cause any discomfort to the victim. Reference be made to *Vikram Singh v Central Bureau of Investigation*, 2018 All SCR (Crl.) 458; and *Aparna Bhatt v. The State of Madhya Pradesh*, 2021:INSC:192, 2021 SCC Online SC 230.”

8. The concerned Officer of the Legal Services Authority to ensure timely payment of fee to the legal aid counsel. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

25.03.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.