

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

Bail App No. 105/2024

...Petitioner/Appellant(s)

Through: Mr. Khawaja Siddiqui, Sr. Advocate with
Mr. Surjeet Singh, Advocate.

Vs.

Union Territory of J&K and Anr.

...Respondent(s)

Through: Mr. Allau din Ganie, AAG with
Mr. Furqan Yaqub Sofi, GA.

CORAM:

HON'BLE MR JUSTICE RAJNESH OSWAL, JUDGE

ORDER

12.09.2024

1. This is an application filed by the petitioner seeking bail in anticipation of the arrest of the petitioner in FIR No. 0370/2024 dated 08.09.2024 for commission of offence under Section 376(2) IPC registered with Police Station, Budgam.
2. In CRM(M) No. 562/2024 which was listed today, this court permitted investigation to continue, however, directed that the charge sheet shall not be filed without permission of this Court.
3. The prima facie case for indulgence is made out at this stage as the petitioner who is serving as Wing Commander in the Air Force Station, Srinagar and in case of his arrest his reputation as well as the service career shall be jeopardized.
4. Notice.
5. Notice waived by Mr. Allau din Ganie, learned AAG, on behalf of respondents. He shall file status-report by or before the next date of hearing and it is directed that in the event of arrest of the petitioner in

FIR No. 0370/2024 dated 08.09.204 for commission of offence under Section 376(2) IPC registered with Police Station Budgam, he be released on bail subject to following terms and conditions:

- a. He shall furnish two solvent sureties for an amount of Rs. 50,000/ each, to the satisfaction of the Investigating Officer and personal bond of like amount.
 - b. He shall not leave the Union Territory of J and K without the permission of his Commanding Officer.
 - c. He will not contact any of the prosecution witnesses either physically or through any other mode.
 - d. He shall appear before the I.O w.e.f. 14.09.2024 to 16.09.2024 from 10 A.M till 2 P.M and thereafter as and when required.
6. List along with CRM(M) No. 562/2024 on 11.10.2024.

(RAJNESH OSWAL)
JUDGE

SRINAGAR
12.09.2024
Ishaq