

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-43120 of 2016

Date of Decision: 3.4.2017

Sandeep Kumar

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Wazir Singh, Advocate
for the petitioner**

Ms. Dimple Jain, AAG, Haryana

Rekha Mittal, J.

The petitioner prays for grant of regular bail in FIR No. 315 dated 1.4.2016 for offence punishable under Section 4 of the Protection of Children from Sexual Offences Act, 2012 registered at police station, Chandni Bagh, District Panipat.

Counsel for the petitioner has submitted that though the prosecution has examined several witnesses but conclusion of the trial is likely to take sometime as the remaining witnesses have not come present despite service and their presence is sought to be secured throughailable warrants. It is further submitted that the prosecutrix, her brother Mithlesh and father Chandan failed to connect the petitioner with the crime and were declared as hostile. It is further submitted that the petitioner is ready to face proceedings subject to conditions that may be imposed by this Court.

Counsel for the State of Haryana has not disputed factual

assertions but opposed the prayer for bail with the submission that in view of gravity of offence coupled with the medical evidence, the petitioner is not entitled to be released on bail.

I have heard counsel for the parties and perused the paper book.

Concededly, material witnesses in the case have already been examined. The prosecutrix, her brother and father have not fully supported the prosecution. The petitioner is in custody for the past about one year. Conclusion of the trial may take sometime.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to his furnishing bail bonds to the satisfaction of the trial court. However, he shall abide by the following conditions:-

- (i) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (ii) He shall not leave the limits of this country without prior permission of the Court.

Petition stands disposed of accordingly.

(Rekha Mittal)
Judge

3.4.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No