

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

**CRM No.M-6001 of 2017
Decided on: 28.02.2017**

Rohit @ Monti

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Anil Kumar Sharma, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

Heard.

Notice of motion.

Mr. Vikas Malik, DAG, Haryana accepts notice on behalf
of the respondent.

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.33 dated 25.04.2016, for offence punishable under Sections 342, 363, 366-A, 376 and 506 of the Indian Penal Code (in short 'IPC') and Section 4 of the Protection of Children from Sexual Offences Act, 2012 registered in Police Station Women, District Jhajjar.

Counsel for the petitioner would contend that the material witnesses in the case have already been examined. The prosecutrix aged about 17½ years did not support the prosecution version or connect the accused with the crime. It is further submitted that as the material witnesses have already been examined, there is no possibility of the petitioner tampering with the prosecution evidence in case released on

bail.

Counsel for the State has not disputed the factual assertions but opposed the bail.

I have heard counsel for the parties, perused the paperbook particularly testimony of the material witnesses examined before the trial Court.

Without commenting upon merits of the case, the petition is allowed and the petitioner is ordered to be released on bail 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, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

28.02.2017
yakub

(REKHA MITTAL)
JUDGE

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