

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

**Crl. Misc. No.M-19885 of 2018 (O&M)
Date of Decision: August 28, 2018**

Govind

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikram Lakhlan, Advocate
for the petitioner (s).

Mr. Amrik Narwal, D.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 26 dated 21.02.2018 registered for the offences punishable under Sections 377, 506, 201 read with Section 34 of Indian Penal Code, 67(A) of Information Technology Act and 3(2)(V) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Loharu, District Bhiwani.

Heard.

Learned State counsel on instructions from ASI Raj Pal Singh submits that in the video clip prepared and circulated, the petitioner is not visible. The complainant while appearing as prosecution witness, has not supported its case.

Keeping in view the above facts but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Govind is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without prior permission of the Court.

August 28, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***