

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**1. CRM-M-25176 of 2018
Date of Decision: 04.07.2018**

Ajay Pal

....Petitioner

VERSUS

State of Haryana

....Respondent

2. CRM-M-25193 of 2018

Pardeep

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Devender Arya, Advocate
for the petitioners in both the petitions.

Mr. Amrik Narwal, DAG, Haryana.

Mr. S.K. Yadav, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No. 57 dated 01.04.2018 registered for offences punishable under Sections 147/149/323/341/506 of Indian Penal Code (for short, "IPC") and 14/18 of Protection of Children from Sexual Offences Act (for short 'the POCSO Act') at Police Station Ateli, District Mahendergarh.

Heard.

As per allegations in the FIR, incident took place on 30.03.2018, when complainant alongwith her father was returning to her house. On the way petitioners Ajay Pal and Pardeep alongwith their co-

accused came in Scorpio car and waylaid the complainant and her father. They gave beatings to father of complainant and attempted to kidnap her. However, another vehicle halted there on hearing the *raulla* and on seeing that vehicle, petitioners and other accused fled from the spot. It is further alleged that thereafter petitioners alongwith co-accused came to the house of complainant, when her father had gone to market to purchase vegetables and assaulted her.

Petitioner-Ajay Pal in CRM-M-25176-2018 and petitioner-Pardeep in CRM-M-25193-2018 were arrested on 04.04.2018 and 03.04.2018 respectively. After completion of investigation, challan has been presented against them.

In view of above but without expressing any opinion on merits of the case and keeping in view the period of incarceration of petitioners and that conclusion of trial will take considerably long time, the present petitions are allowed. Petitioner-Ajay Pal in CRM-M-25176-2018 and petitioner-Pardeep in CRM-M-25193-2018 are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality

petitioners shall have to apply for bail afresh.

- (c) They shall not leave the country without the previous permission of the Court.

July 04, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No