

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

**CRM-M-31296-2018
Date of decision: 26.07.2018**

Rahul @ Sheru

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Vikas Kumar, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 562 dated 15.07.2017 under Sections 363, 366A, 342, 354-D, 376(2)(n), 506 and 120-B IPC, Section 6 of the POCSO Act and Section 25 of the Arms Act (Charges under Section 376(2)(n) IPC and Section 6 of the POCSO Act have been framed during trial), registered at Police Station Surajkund, Faridabad, District Faridabad.

Learned counsel for the petitioner herein contends that after regular bail had been allowed to the petitioner by the High Court, he was to put in an appearance before the trial Court, however, on account of diffuse disc bulge at L4/5 and L5/S1 level indenting the thecal sac with grade I compression on the bilateral traversing nerves, the petitioner was in acute pain and unable to travel. It is on account of his medical condition that he was not able to put in appearance on the day so fixed and had moved an

application seeking exemption from personal appearance, which stood declined. Learned counsel for the petitioner submits that in fact the case is now listed for 30.07.2018 on which day he will put in appearance.

Notice of motion.

On asking of the Court, Mr. P.P. Chahar, learned DAG, Haryana, who is present in the Court, accepts notice on behalf of respondent-State. Learned counsel for the petitioner undertakes to supply adequate number of copies of the petition to the State counsel during the course of the day.

I have heard learned counsel for the parties.

Keeping in view the fact that learned counsel on behalf of the petitioner has undertaken that the petitioner would present in Court on 30.07.2018, arrest of the petitioner is stayed till 30.07.2018 and the petitioner is directed to appear before the trial Court and furnish bail bonds and on doing so the trial Court shall release him on bail subject to its satisfaction. However, it is made clear that in case the petitioner does not appear before the trial Court within the stipulated any interim protection granted today shall stand automatically vacated.

Petition stands disposed of accordingly.

26.07.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)

JUDGE

Yes.

No.