

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

CRM-M-39810-2018

Date of decision: 18.09.2018

Vinit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.Aakash Singla, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.43 dated 24.01.2018 under Sections 148, 149, 323, 354, 452, 506 IPC (Section 307 IPC and Section 8 of Prevention of Children from Sexual Offences Act, 2012 added later on), registered at Police Station Rai, Sonapat.

Learned counsel appearing on behalf of the petitioner would contend that a reading of the FIR does not attribute any specific role to the petitioner herein while also contending that the co-accused have already been granted regular bail. He has been in custody since 25.01.2018. In this background, he prays for grant of bail to the petitioner.

Ms. Gaganpreet Kaur, learned AAG, Haryana opposes the grant

of regular bail while submitting that the allegations are serious in nature, however, does not dispute the factum that co-accused have already been granted bail.

I have heard learned counsel for the parties.

In view of the fact that the petitioner herein has been incarcerated since 25.01.2018 and the co-accused have already been granted bail, the present petition is allowed. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

18.09.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.