

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

**CRM-M-39693-2017
Date of decision: 21.03.2018**

Naveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. P.P.S. Duggal, Advocate,
for the petitioner.

Mr. P.P. Chahar, learned DAG, 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. 62 dated 28.03.2017 under Sections 363, 366-A IPC and Section 6 of POCSO Act added later on, registered at Police Station Alewa, District Jind,

Learned counsel for the petitioner would contend that the petitioner herein has been in custody since 02.04.2017. He further submits that the trial is likely to take some time to conclude as out of total 24 witnesses only five have been examined.

Learned counsel for the respondent-State opposes the grant of bail to the petitioner by contending that the trial is likely to conclude shortly as all material private witnesses have been examined.

I have heard learned counsel for the parties and in view of the fact that the petitioner herein has been in custody since 02.04.2017 and the trial is likely to take some time to conclude, without expressing any opinion

on merits of the case, the present petition is allowed. 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- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

21.03.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.