

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

CRM-M-41539-2018

Date of decision: December 19, 2018

Pankaj Gaba

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sandeep Kotla, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioner-Pankaj Gaba in case FIR No.969 dated 11.07.2018 registered for the offence punishable under Section 4 of The Protection of Children from Sexual Offences Act, 2012 (for short, 'the Act') and Sections 341, 377 of the Indian Penal Code at Police Station City, Panipat.

Heard.

On the inquiry of this court, petitioner is ready to pay some compensation for a sum of Rs.75,000/- in the name of the complainant-Deepa Khurana through bank draft.

In this view of the facts and circumstances of the case and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner is ordered to be released on regular bail subject to payment of Rs.75,000/- by way of bank draft in the name of the complainant/victim and the said amount shall be disbursed to the victim subject to the conditions that if the petitioner is acquitted or any court directs

the victim to return this amount, she shall return the same and on her failure to do so, the surety shall be liable and also on furnishing bail bond and surety bond to the satisfaction of concerned trial court/Chief Judicial Magistrate/ Duty Magistrate subject to the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 the previous permission of the court.

However, the said order shall be without prejudice to the rights of the parties.

(RAJ SHEKHAR ATTRI)
JUDGE

December 19, 2018
m. sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No