

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

**CRM-M-7551-2018 (O&M)
Date of Decision: 19.07.2018**

Shahjad

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Namit Sharma, Advocate
for the petitioner(s).

Ms. Mahima Yashpal, AAG, Haryana
assisted by ASI Jaibeer Singh.

ANITA CHAUDHRY, J

The petitioner is seeking regular bail in FIR No.161 dated 23.08.2017 registered under Sections 452/323/506/509/34 of IPC and Section 4 of POCSO Act, at Police Station Quilla, Panipat.

Learned counsel for the petitioner contends that the petitioner is in custody since 31.08.2017 and examination-in-chief of the prosecutrix has been recorded and thereafter an application under Section 319 Cr.P.C. has been moved. Counsel further states that the victim had refused her medical and the allegations are that the petitioner attempted to commit rape. It was urged that an outsider could not have been entered the house when the whole family was at home.

Challan has already been presented and examination-in-chief of the victim had already been recorded. Trial would now be held up as application under Section 319 Cr.P.C. has been filed. The petitioner lives in the same village. Considering the entire circumstances, conditional bail is allowed to the petitioner. The petitioner is ordered to be released on bail on his furnishing surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate with a condition that the petitioner would not enter the village of the victim nor contact her or her family directly or indirectly or tamper with the evidence.

July 19, 2018

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**(ANITA CHAUDHRY)
JUDGE**

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