

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

224

CRM-M-354-2019

Date of decision: 06.02.2019

Madan Gopal

..... Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present:- Mr. Aditiya Sanghi, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Ramender Chauhan, Advocate
for the complainant.

RAJ SHEKHAR ATTRI, J. (Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.0067 dated 07.08.2018 registered for the offences punishable under Sections 376(2)(n), 506 of Indian Penal Code (for short, "IPC") at Police Station Women Police Station, Bhiwani, District Bhiwani, Haryana.

Learned counsel for petitioner submits that the petitioner was a Lecturer of Physical Education in Government Senior Secondary School Bajina, District Bhiwani. Allegations levelled by the prosecutrix are that the petitioner was forcibly committing rape upon her. He is in custody since 14.08.2018. Prosecution evidence has already been closed.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Madan Gopal is ordered to

be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Bhiwani subject to 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

06.02.2019
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No