IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRR-147-2019 (O&M)
Date of Decision: 19.3.2019

Shahrukh

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S.K.Panwar, Advocate,
for the petitioner.

Mr. Arun Kumar, AAG, Haryana.

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RAJ SHEKHAR ATTRI, J.(Oral)

The present revision petition has been filed by the petitioner against the impugned order dated 18.12.2018 passed by learned Additional Sessions Judge, Palwal upholding the order dated 18.9.2018 passed by Principal Magistrate, Juvenile Justice Board, Palwal dismissing the application of the petitioner for grant of regular bail in case FIR No.42 dated 18.6.2018 registered under Sections 376, 120-B of Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act at Women Police Station, Palwal, District Palwal.

Counsel for the petitioner submits that the petitioner himself is a juvenile. The allegations of rape with minor prosecutrix have been levelled against him. However, now statement of the prosecutrix has been

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recorded.

The petitioner is in custody since 24.7.2018.

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(b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

(RAJ SHEKHAR ATTRI)
JUDGE

March 19, 2019
Paritosh Kumar

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

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