

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

CRM-M-4302-2019

Date of decision: March 20, 2019

Jai Parkash

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Akshay Rana, Advocate
for the petitioner.

Mr. Vikas Chopra, 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-Jai Parkash, in case FIR No.91 dated 17.06.2018, registered for the offences punishable under Sections 365, 376, 511, 506 of the Indian Penal Code (for short 'IPC'), at Police Station Women, Narnaul.

Although, it is specifically stated in the FIR that petitioner has committed rape upon the prosecutrix but at the time of recording statement under Section 164 Cr.P.C., she denied this fact and stated that she was saved by some boys of the village.

Now her statement was recorded by the learned trial court where she nowhere stated that she was subjected to rape. Petitioner is in custody since 25.06.2018.

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 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, concerned 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 20, 2019
m. sharma

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