

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

CRA-S-1150-SB-2018 (O&M)

Date of Decision : 08.02.2019

Samsuddin

..... Appellant

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Ms. Reena, Advocate for Mr. Rajesh Bansal, Advocate
for the appellant.

Mr. Arun Kumar, AAG, Haryana.

RAJ SHEKHAR ATTRI, J. (Oral)

CRM-44403-2018

This is an application for preponment of the main appeal.

As the instant appeal is listed for hearing today, therefore, the
instant application has become infructuous and is dismissed as such.

CRA-S-1150-SB-2018

Feeling aggrieved against the order dated 28.02.2018, passed by the learned Addl. Sessions Judge (Exclusive Court), Nuh vide which regular bail of Rashid, son of the appellant in case FIR No.09 dated 16.01.2018, registered under Section 506 IPC and Section 4 of the Protection of Children from Sexual Offences Act, at Women, Police Station Nuh, was dismissed, the appellant has preferred the instant appeal.

It has been submitted that said Rashid was juvenile at the time of occurrence. He is in custody since 01.02.2018.

Learned State counsel has submitted that the prosecution witnesses including the prosecutrix have been examined.

Heard. Said Rashid is in custody for the last more than one year. The trial of the case will take long time. No useful purpose will be served by keeping him in custody any further.

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 appeal is allowed. Said Rashid is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The appellant 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the appellant shall stand withdrawn.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 appellant shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

08.02.2019
mamta

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No