

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

CRM-M-6951-2019

Date of decision: March 13, 2019

Kapil

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vimal Kumar Gupta, Advocate
for the petitioner.

Mr. Arun Kumar, AAG, 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-Kapil in case FIR No.112 dated 05.05.2018, registered for the offences punishable under Sections 354, 354-A, 342, 376, 503, 34 of the Indian Penal Code (for short 'IPC') and Section 6 of Protection of Children from Sexual Offences Act, 2012, at Police Station Pinjore, District Panchkula.

Learned counsel for the petitioner has submitted that the statement of the prosecutrix has already been recorded by the learned trial court but she failed to support the prosecution version.

Learned State counsel conceded that both the complainant and prosecutrix turned hostile.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 13, 2019
m. sharma

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