

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10075-2019

Date of Decision:-08.05.2019.

Chander Prakash

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Narinder Singh, Advocate for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Mr. Suresh Kumar Kaushik, Advocate for the complainant.

RAJ SHEKHAR ATTRI, J.

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.86 dated 12.09.2018, registered under Sections 323, 313, 376, 377, 506, 120-B IPC and Section 3 of the Scheduled Castes and Scheduled Tribes Act at Police Station Sector 16-A, Faridabad, District Faridabad.

Learned State counsel placed on record the photocopy of the deposition of the prosecutrix dated 23.04.2019 which transpires that she does not support the case of the prosecution rather exonerated the petitioner.

The petitioner is in custody since 14.12.2018. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody.

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 Chander Prakash 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 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

(RAJ SHEKHAR ATTRI)
JUDGE

May 08, 2019.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.