

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-10537 of 2019
Date of Decision: 22.4.2019**

Gulab Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

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

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

Mr. Pawan Garg, AAG, Haryana.

RAJ SHEKHAR ATTRI, J. (Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure (in short, “Cr.P.C”.) for grant of regular bail to the petitioner in case FIR No.440 dated 16.8.2018 registered for the offences punishable under Sections 363, 366-A of Indian Penal Code (for short, “IPC”) and Section 6 of Protection of Children from Sexual Offences Act at Police Station Shahabad, Kurukshetra.

Heard.

Learned State counsel has placed on record photocopy of the statement of the prosecutrix. Reliance has also been placed on the statement of the prosecutrix under Section 164 of the Code of Criminal Procedure recorded on 4.11.2018 wherein she has stated that she wanted to stay with the petitioner and has married the petitioner but later on, she took summersault. However, in her deposition, she has admitted suffering

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-Gulab Singh son of late Phool Chand 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

April 22, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No