

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

CRM-M-10556-2019

Date of decision: March 13, 2019

Neeraj

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. A.P. Kaushal, 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-Neeraj in case FIR No.95 dated 25.07.2018, registered for the offence punishable under Section 8 of Protection of Children from Sexual Offences Act, 2012, at Police Station Kalka.

It is a case of the prosecution that petitioner went to the house of the prosecutrix for some electric work but he caught hold her and followed her in the kitchen as well as in the living room.

Now statement of the prosecutrix as well as her mother have been recorded. Petitioner is in custody since 25.07.2018. Trial has not been concluded.

In this view of the facts and circumstances of the case and 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 subject to deposit of Rs.50,000/- with the learned trial court which shall be subject to the final outcome of trial, and also on furnishing bail bond and

surety bond to the satisfaction of concerned trial court / Chief Judicial Magistrate / Duty Magistrate subject to the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- (d) He shall keep good character and will not visit the house of the prosecutrix.
- (e) The amount of Rs.50,000/- shall be kept in the shape of FDR at least for a period of one year and in case any compensation has been imposed upon the petitioner, that amount shall be utilized for that purpose.

(RAJ SHEKHAR ATTRI)
JUDGE

March 13, 2019
m. sharma

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