

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-11538-2019

Date of Decision: 19.3.2019

Dansih @ Pattu

....Petitioner

VERSUS

State of Haryana

....Respondent

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

Present: Mr. Krishan Singh, Advocate
for the petitioner (s).

Mr. Arun Kumar, 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.13 dated 21.4.2018 registered for the offences punishable under Sections 365, 452, 506 of Indian Penal Code (for short, "IPC") and 6 and 17 of Protection of Children from Sexual Offences Act at Police Station Women, Yamuna Nagar, District Yamuna Nagar.

Heard.

The allegations levelled against the petitioner are that he along with co-accused Mehar Lal and others had committed rape upon the minor prosecutrix. Mehar Lal has already been granted by this Court vide order dated 28.2.2019 passed in CRM-M-8252-2019.

A bare perusal of the statement of the prosecutrix (Annexure P-3) suffered before the trial court transpires that the petitioner never

threatened nor committed rape upon her.

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-Danish @ Pattu son of Lilu Khan 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

March 19, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No