

230-2

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

CRM-M-12560-2019

Date of decision: March 27, 2019

Deepak @ Deepu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S.S. Kharb, 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-Deepak @ Deepu in case FIR No.646 dated 18.07.2018, registered for the offences punishable under Sections 363, 366-A read with Section 34 of Indian Penal Code, 1860 (for short, "IPC"), at Police Station Model Town, District Panipat.

A bare perusal of the statement of the prosecutrix under Section 164 Cr.P.C. transpires that she had gone with petitioner-Deepak @ Deepu by her own. She has categorically stated that she wants to stay with Deepu.

In her absence, FIR was lodged by her father on the basis of suspicion to the effect that her daughter has been kidnapped by Deepak.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

(RAJ SHEKHAR ATTRI)
JUDGE

March 27 , 2019
m. sharma

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