

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

CRM-M-12949-2019

Date of decision: March 27, 2019

Yashwin @ Bhura

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sunny Dhull, Advocate for
Mr. Namit Khurana, 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-Yashwin @ Bhura in case FIR No.13 dated 21.04.2018, registered for the offences punishable under Sections 365, 452, 506 of Indian Penal Code, 1860 (for short, "IPC") and Sections 6 & 17 of the Protection from Children from the Sexual Offence Act, 2012, at Police Station Women, District Yamuna Nagar.

Heard.

It is the case of rape upon the minor prosecutrix.

During the trial, both the prosecutrix and her parents have not supported the case of the prosecution. Prosecutrix has specifically stated that the petitioner has not committed rape upon her. Co-accused Mehar Lal @ Melu has already been granted bail by this court vide order dated 28.02.2019 passed in *CRM-M-8252-2019*.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

(RAJ SHEKHAR ATTRI)
JUDGE

March 27 , 2019

m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No