

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

CRM-M-27561-2018 (O&M)

Date of decision: February 26, 2019

Chander Shekhar @ Shekhar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. P.P.S. Duggall, Advocate
for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

CRM-23617-2018

Application is allowed as prayed for.

Annexure P-1 is taken on record.

CRM-M-27561-2018

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.85 dated 11.07.2017, registered for the offences punishable under Sections 342, 506, 120-B of Indian Penal Code (for short, "IPC"), Section 25 of Arms Act, 67(A) of Information Technology Act and Section 4 of Protection of Children from Sexual Offences Act (for short 'the Act'), at Police Station Women, Jind.

Heard.

Earlier FIR No.128 dated 15.07.2017, under Sections 363, 366-A IPC and Section 12 of the Act, at Police Station Alewa, was registered against the petitioner. After trial, he was acquitted by learned Additional Sessions Judge, Jind vide judgment dated 23.08.2018 (Annexure

R-2). Even, statement of prosecutrix under Section 164 Cr.P.C. (Annexure R-3) was also recorded before the learned Judicial Magistrate Ist Class, Jind wherein she has stated that she has love affair with the petitioner and has categorically stated that the photographs got prepared voluntarily by them and the same were uploaded by the petitioner in YouTube.

This FIR pertains to the occurrence of 16th May, 2017. However, offence under Section 25 of Arms Act has been registered. Prosecutrix has been examined. Petitioner is in custody since 16.07.2017.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

(RAJ SHEKHAR ATTRI)
JUDGE

February 26, 2019

m. sharma

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