

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

**CRM-M-15707-2019(O&M)
Date of decision : 29.05.2019**

Narender

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Ashit Malik, Advocate for the petitioner.

Mr.Manoj Kumar Sangwan, DAG,Haryana.

RAJ SHEKHAR ATTRI, J. (ORAL)

CM-11608-2019

Application allowed as prayed for.

CRM-M-15707-2019

This is a petition for regular bail filed by the petitioner in case FIR No.611 dated 25.11.2018, under section 376 IPC and Section 4 of Prevention of Children from Sexual Offences Act, 2012, registered at Police Station Gannaur, District Sonapat.

The allegations levelled against the petitioner are that he committed wrong act with the minor grand daughter of the complainant.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and no offence is made out against him.

The copy of statement of the prosecutrix made in Court has been placed on record by learned State counsel. This Court has perused the same and found that the prosecutrix did not say anything against the petitioner in her cross examination. Even the complainant has made a totally

contradictory statement in the Court to what she had made before the Magistrate. No other material witness has been examined by the prosecution. The petitioner is in custody since 27.11.2018 and completion of trial will take long time

Learned State counsel has not disputed the factual position.

Heard.

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 Narender is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

(RAJ SHEKHAR ATTRI)
JUDGE

29.05.2019
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No